



Washington State
Department of
Commerce

**Early Learning Facilities
Notice of Funding Opportunity (NOFO)
Eligible Organizations**

Version 09/17/2021

**Local Government Division
Community Capital Facilities
[Early Learning Facilities Program](#)**

Commerce funding materials may be available in translated formats upon request with a minimum of ten (10) working days' notice. Persons needing an accommodation should contact earlylearningfacilities@commerce.wa.gov, and we will determine if the accommodation is possible.

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I. ELF PROGRAM BEST PRACTICES FOR A COMPETITIVE PROCESS

The Early Learning Facilities (ELF) Program adopts these elements as best practices for our competitive processes.

- Public notice will be provided for all competitive solicitations using Commerce’s public website. Notification will be provided through the GovDelivery system to interested parties that have signed up for communications through our webpage.
- The procurement coordinator role is separate and distinct from the evaluator role; a coordinator cannot evaluate.
- All evaluators will sign conflict and confidentiality statement prior to evaluating submissions.
- A question and answer period prior to the submission deadline will be provided to interested parties.
- A clear and transparent debrief process will be provided to applicants who request such.

II. FUNDING ROUND TIMELINE

Informational Webinar	September 15, 2021
Notice of Funding Opportunity Posted to Web	September 17, 2021
Application Open in ZoomGrants	October 1, 2021
Live Questions & Answers Period	Sept. 17 – November 17, 2021
Pre-Application Responses Due	Noon, November 16, 2021
Complete Application Submission Due	5:00pm (PST), December 1, 2021
Commerce Review of Applications	Beginning December 2, 2021
Subject Matter Expert Review of Applications	Beginning January 3, 2021
Notification of Award	By early March 2022
Application Debrief Period	March 2 – March 16, 2022
Contract Negotiation, Drafting and Execution	Begin in April 2022
Grant Funds Must be Expended	June 30, 2023 NOTE: See Guidelines for more explanation.

Revisions to the timeline, updates to the application process, updates to the Program Guidelines and award announcements will be published to the [Community Capital Facilities - Early Learning Facilities](#) webpage.

III. FUNDING AVAILABILITY

The 2021-2023 Legislature's [capital budget](#) appropriated \$21,998,120 for the Early Learning Facilities (ELF) Program competitive process. The Department of Commerce (Commerce) is soliciting applications from eligible organizations to implement early learning facility capital projects.

IV. CONDITIONS OF FUNDING

1. Funding may be awarded to nonprofits, for-profit businesses, public entities and Tribes that are also eligible organizations, as defined in [43.31.575 RCW](#). In the Eligible Organization's funding round, K-12 School Districts are not eligible.
2. The ELF program, operated by Commerce, receives funding through the Early Learning Facilities Development Account and may provide grants as defined in [43.31.573 RCW](#).
3. Funding to early learning facilities are for activities as defined in [43.31.577 RCW](#).
4. Proposed projects where the ELF funds will only be used to improve playground equipment or improve the kitchen are not eligible.
5. Proposed projects, once completed, must increase early learning capacity. PreDesign Only and Pre-Development Only grants are excluded from this requirement.
6. Funding must be utilized in the manner outlined in the application.
7. Awardees must obtain and maintain [licensure](#) through the Department of Children, Youth and Families (DCYF) as an early learning provider.

8. Awardees must be, or become, an [Early Childhood Education and Assistance Program \(ECEAP\)](#) provider or a [Working Connections Child Care \(WCCC\)](#) provider who is eligible to receive state subsidies.
9. Awardees must be, or become, an active participant in good standing with the [Early Achievers Program](#).
10. Awardees must have and maintain a business license through the Department of Revenue to do business in Washington State and be registered with the Washington Secretary of State, if applicable.
11. Awardees who received a direct appropriation through the ELF program or a previous competitive funding round are eligible to apply for an ELF program competitive grant, but not for the same project that received prior funding. See the definition of “project” in the Notice of Funding Opportunity (NOFO).
12. Grant funds are only available once the awardee is able to prove site control. If ELF funds are needed to acquire real property, funds may be released at close through the escrow process.
13. Grant funds are only available once the awardee is able to prove all other funding sources are committed so that the early learning site will be completed and become operational.
14. Grant funds cannot be used for costs incurred before the date of award letter, this includes acquisition costs.
15. Grant funds must be used for allowable activities that incur eligible costs outlined in the Program Guidelines. Grant funds must be expended by the end of the contract term. The contract term will be identified as a four-year period but the awardee should be aware Washington operates under a biennial (two-year) budget. Each appropriation in the Capital Budget must, by law, lapse at the close of the two-year biennium. Commerce will request one reappropriation of any unspent funds. However, we cannot guarantee the Legislature will agree to extend funding, nor can we legally obligate funds from one biennium to another. Awardees are encouraged to get under contract and expend their funding in a timely manner.
16. The awardee must maintain and operate the facility and operate the early learning program for the commitment period as outlined in the grant contract. The commitment period for all 2021-23 projects is ten (10) years.

17. Applicants for these funds should review the [Program Guidelines](#) to ensure a complete understanding about requirements of this grant and how to get under contract with the ELF Program once funding is awarded. Noncompliance with programmatic requirements during the pre-contracting, reimbursement and commitment period phases of our funding could result in a funding award being withdrawn or repayment of funds already reimbursed.
18. We also recommend that applicants view the recorded informational webinar posted to the ELF website to learn more about program rules and how to submit an application.

V. WHO MAY APPLY

The ELF Program supports Washington’s commitment to expand and establish new capacity for early learning providers in communities. The program furthers the development of high quality early learning opportunities for children from low-income households. For more information for a community’s child care needs and supply data, see the [DCYF Early Learning Dashboard](#) for more information. The competitive funding round is open to nonprofits, for-profit businesses, public entities and tribes. Per [43.31.575 RCW](#), the ELF Program may fund nonprofits, for-profit businesses, public entities or Tribes that are any of the following type of eligible organization:

- [Early Childhood Education and Assistance Program \(ECEAP\)](#) provider
- [Working Connections Child Care \(WCCC\)](#) provider who is eligible to receive state subsidies
- Licensed early learning center not currently participating in the ECEAP or WCCC program, but intending to do so
- Developer of housing and community facilities
- Community or technical college
- Educational Service District (ESD)
- Local government
- Federally recognized Tribe in the state of Washington
- Religious affiliated entity

VI. WHAT IS A PROJECT

A ‘project’ is what we call the capital work the applicant proposes in their application. All capital work identified as a project must be unique from all other capital work the applicant has previously received funding for either through a direct appropriation or competitive process.

The maximum award for any one project in this funding round is \$1,000,000. Applicants may only apply in one Funding Category per project so we recommend applicants apply for the category that represents the maximum award amount that will be needed in order to accomplish the project.

Funding Category	Maximum Award Amount
PreDesign Only Grant	\$20,000
Pre-Development Only Grant	\$200,000
Acquisition / New Construction / Major Renovation	\$1,000,000
Minor Renovation	\$200,000

A project may be:

1. A Predesign Only Grant; or
2. A Pre-Development Only Grant; or
3. When a “[Center Early Learning Program](#)” (aka child day care center pursuant to [RCW 43.216.010](#) or early learning facility pursuant to [RCW 43.31.565](#)) provider has or will establish a business in a commercial space, the ELF “project” may be:
 - a. Purchase of a facility (vacant land is not eligible); or
 - b. New construction of an entire facility, a phase of a facility, a unit or wing of a facility, a floor in a building, or any sub-compartment of a commercial building where early learning services are provided; or
 - c. Renovation of an entire facility, a phase of a facility, a unit or wing of a facility, a floor in a building, or any sub-compartment of a commercial building where early learning services are provided; or
 - d. Any combination of the above identified components (3a – 3c).
 - e. In all cases, the “project” must result in a licensable early learning facility that expands or retains classroom space for children to participate in the [Early Childhood Education and Assistance Program \(ECEAP\)](#) and/or [Working Connections Child Care \(WCCC\)](#).

4. When a “[Family Home Early Learning Program](#)” (aka family day care provider pursuant to [RCW 43.216.010](#)) provider has or will establish a business in their home, the ELF “project” may be:
 - a. New construction of space for early learning services that is either attached or detached from the single-family residence of the grant awardee. The land upon which the new structure is built must already be owned by the awardee. The cost of the land is not eligible for reimbursement.; or
 - b. Renovation of a single-family home already owned by the grant awardee. Costs may be prorated, depending on type of work being completed, and costs must be directly related to only the early learning services space in the home being renovated. We do not reimburse for renovation costs caused by deferred maintenance or emergency repairs. See the Program Guidelines for what is considered deferred maintenance or an emergency repair.; or
 - c. Any combination of the above identified components (4a – 4c).
 - d. In all cases, the “project” must result in a licensable early learning or childcare business that expands classroom space for children to participate in the ECEAP and/or WCCC programs.

All projects as defined above must by the Contract Term of the capital contract be a licensed early learning provider through DCYF and also either approved for expansion or working through the DCYF application process to become approved to expand ECEAP or WCCC slots.

VII. APPLYING

The application is available through a third-party on-line provider called [ZoomGrants](#). When the application opens, a link to the ZoomGrants application will be posted to the [Community Capital Facilities - Early Learning Facilities](#) webpage.

How to Get Started and Meeting Submission Deadlines

- The applicant must respond to the Pre-Application Questions no later than the deadline stated in the table above. Commerce staff will review Pre-Application Questions and approve an application to move forward for completion. Toward the end of the application period, staff need adequate time to review Pre-Application Questions and still allow an applicant enough time to submit a complete application. If you have not responded to the Pre-Application Questions by the above deadline, you will not be allowed to complete the application.

- To respond to the Pre-Application Questions, click the submit button, and a Commerce program staff person will contact you either with additional technical assistance, questions to facilitate the review of the question, or directions on how to move forward to complete the application. Staff, via email, will notify you within 72 business hours, Monday through Friday.
- When your Pre-Application Questions are approved you will receive a communication from the ZoomGrants system allowing you access to the remainder of the application.
- Applications must be submitted in the ZoomGrants system on or before the date identified in the table above.
 - All documents associated with the application must be uploaded into the ZoomGrants application and all applicable questions answered, by the submission deadline, for the application to be considered complete.
- An incomplete application will be considered non-responsive and will not be reviewed.

Sharing Application Information With Other Public Entities

- Commerce may share application information, submitted through our application process, with other public entities that fund capital, operating or services associated with Early Learning facilities. If an applicant receives an award from Commerce, and we have shared that applicant’s information with another public entity, this does not guarantee nor should it be taken as an offer of funding from any other public entity. As well, if an applicant receives an award for funding from a public entity that Commerce shared application information with, this is in no way to be taken as an award from Commerce.

ZoomGrants

- If you have a [ZoomGrants](#) account, log in and search for applications available through the Department of Commerce. You can also use the links posted to our ELF website to directly access the application.
- If you are a new user to ZoomGrants, click [here](#) and complete the required information for a new “Applicant” account. Please do not use “The” as the first word in the agency name when creating your account profile.
- For more information about using the ZoomGrants system, see the [How-To Guide for Applicants](#) provided by ZoomGrants.

Submission Format

- ONLY applications and documents associated with the application submitted through ZoomGrants will be accepted. No mailed hardcopy or emailed applications or documents will be accepted.
- Answers to application questions are saved by the system automatically after each response. You do not need to complete an application in a single session and can come back to where you left off with your application whenever necessary. Applicants will receive a notification from the ZoomGrants system when the Pre-Application responses and final application is successfully submitted.
- A response to all questions is required unless otherwise indicated. Answer all questions thoroughly and pay attention to the directions provided for each question because some questions are multi-step. Answers that are not responded to will be considered incomplete and if enough information is missing throughout the application, the application may be considered incomplete and not reviewed.
- If a document is indicated as 'required' or 'required if applicable' and you do not submit the requested material, the application will be considered incomplete and not reviewed.

VIII. APPLICATION

Applications for this competitive process will be scored based on responses to the questions provided below. When answering questions, please be as thorough as possible. Some questions are Yes/No and require additional information elsewhere in the application in order to substantiate the response. If additional information is not provided, the question will be scored as a 'No Response'. Assume the person reading and scoring the application does not know about your project, services or facility type. You must answer all applicable questions pertaining to your grant request. **The following questions are provided for applicant review in preparation to complete the application in the online ZoomGrants system.** In order to fit within the formatting parameters of the ZoomGrants system, the questions below may be slightly different in the actual application from how they appear below. The questions below are for informational purposes only.

**DO NOT ENTER RESPONSES BELOW. APPLICATIONS MUST BE SUBMITTED THROUGH ZOOMGRANTS.
THIS IS ONLY FOR INFORMATIONAL PURPOSES TO PROVIDE A LIST OF THE QUESTIONS THAT ARE IN ZOOMGRANTS.**

Pre-Application Questions

1. Have you reviewed the Program Guidelines and the Notice of Funding Availability, applicable to this funding opportunity, posted to the [Early Learning Facilities](#) webpage?
 - Yes
 - No

2. What type of eligible organization is the applicant?
(Select all that apply)
 - [Early Childhood Education and Assistance Program \(ECEAP\)](#) provider
 - [Working Connections Child Care \(WCCC\)](#) provider who is eligible to receive state subsidies
 - Licensed early learning center not currently participating in the ECEAP or WCCC program, but intending to do so
 - Developer of housing and community facilities
 - Community or technical college
 - Educational Service District (ESD)
 - Local government
 - Federally recognized Tribe in the state of Washington
 - Religious affiliated entity

3. Is the applicant the same entity we will contract with if an award is made?
 - Yes
 - No

4. Does the applicant currently have a license, through [Department of Children, Youth and Families \(DCYF\)](#), for any child care site?
 - Yes
 - No, but will become a licensed early learning provider
 - No, but will lease to a licensed early learning provider
 - NA (*PreDesign Only Grant or a Pre-Development Only Grant*).

5. If you currently have a license through DCYF, tell us what kind of child care facility(ies) you operate either a family home early learning program, a center early learning program or a school-age program and if you operate any of these programs ECEAP as a contractor, ECEAP as a subcontractor, WCCC provider. If you do none of these tell us briefly what you do. (If applying for a PreDesign Only Grant or a Pre-Development Only Grant, indicate NA as your answer.)
6. If you are not currently licensed by DCYF **or** do not have a contract to provide ECEAP or WCCC programming, have you been in contact with DCYF about the licensing and contracting or subcontracting processes? Provide a brief explanation of the steps you have taken to date or an explanation with a timeline for steps that you will take before the close date of this application on December 1, 2021.
7. The ELF grant requires that awardees be or intend to be active participants in good standing with the Early Achievers program. (Indicate your status.)
- An Early Achievers program participant in good standing
 - Intending to become an Early Achievers program participant
 - Intending to lease to an Early Achievers program participant
 - NA (PreDesign Only Grant or a Pre-Development Only Grant)
8. The ELF grant requires that once the capital project is completed, your project create new or increased capacity for service of ECEAP or WCCC programming. For what program will service capacity be increased at the early learning site?
- ECEAP only
 - WCCC only
 - ECEAP and WCCC
 - NA (PreDesign Only Grant or a Pre-Development Only Grant)
9. If an award is made, do you commit to provide licensed early learning services at the site where the ELF grant is used for at least a 10-year period following the last payment of reimbursable costs? (See the Program Guidelines for more information.)

- Yes
- No
- NA (*PreDesign Only Grant or a Pre-Development Only Grant*)

10. If you receive an award from us, there is a requirement to provide funding match. Tell us about your ability to provide matching non-state funds for the capital project. (*Enter NA if applying for a PreDesign Only Grant. See the Program Guidelines for more information.*)

11. Tell us about the status of completion for each of the following activities. As your response, indicate NA, not yet started, planning, in process or completed as your answer to each of the items listed below. (*See the Program Guidelines for more information.*)

Activity	Status
Feasibility Study	
Market Study	
Fundraising or Finance in order to complete the project	
Working w/a Realtor to determine costs of acquisition, if applicable	
Site Control (aka ownership of real property or leasing of a facility)	
Architecture & Engineering	
Zoning review	
City/County permitting	
Construction bid	
LEED , WSSP or ESDS	
Finalization of construction and equipment budget	
Negotiated binding agreements with contractors	
Demolition	

	<table border="1" data-bbox="751 191 1984 394"> <tr> <td data-bbox="751 191 1371 232">Site preparation</td> <td data-bbox="1371 191 1984 232"></td> </tr> <tr> <td data-bbox="751 232 1371 272">Construction or renovation</td> <td data-bbox="1371 232 1984 272"></td> </tr> <tr> <td data-bbox="751 272 1371 313">Executive Order 21-02</td> <td data-bbox="1371 272 1984 313"></td> </tr> <tr> <td data-bbox="751 313 1371 354">DCYF licensing review</td> <td data-bbox="1371 313 1984 354"></td> </tr> <tr> <td data-bbox="751 354 1371 394">Application for ECEAP or WCCC program</td> <td data-bbox="1371 354 1984 394"></td> </tr> </table> <p data-bbox="703 440 1942 625">12. If an award is made, the successful applicant may be required to comply with all applicable Public Works statutes (RCW 39.80 and 39.04), Prevailing Wage (RCW 39.12) and Apprenticeship. These requirements must be followed if applicable to the proposed project. Do you agree to abide by all applicable statutes? (<i>See the Program Guidelines for more information.</i>)</p> <p data-bbox="793 638 1192 748"> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA (<i>PreDesign Only Grant</i>) </p> <p data-bbox="703 797 1984 982">13. Has a direct appropriation or competitive award through the ELF Program been provided, for any work anticipated or previously conducted at the site? If your answer is yes, tell us how the scope of work for this proposed project will be different than all other scopes of work that you have received funding for through the ELF Program at this site. (<i>A definition of “project” is provided in the NOFO. Answer NA if this does not apply to the proposed project.</i>)</p> <p data-bbox="703 1027 1984 1213">14. Once questions 1-14 are submitted by the applicant and reviewed by program staff, we will reach out to you if further technical assistance is warranted. We may be able to provide translation of the remaining questions in this application and other program related materials. If the applicant needs translated documents, what language do the materials need to be translated? (<i>If no translation is needed, enter NA</i>)</p>	Site preparation		Construction or renovation		Executive Order 21-02		DCYF licensing review		Application for ECEAP or WCCC program	
Site preparation											
Construction or renovation											
Executive Order 21-02											
DCYF licensing review											
Application for ECEAP or WCCC program											
<p data-bbox="136 1279 655 1349">General Application Questions - Award Information</p>	<p data-bbox="703 1263 1942 1370">1. What grant amount is being applied for with this application? The maximum award for any one project in this funding round is \$1,000,000. We recommend applicants apply for the category that represents the maximum award amount that will be needed in order to</p>										

	<p>accomplish the project. <i>(See the Program Guidelines for definitions and allowable costs.)</i> <i>(Select Only One)</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Acquisition / New Construction / Major Renovation - \$1,000,000 maximum <input type="checkbox"/> Minor Renovation - \$200,000 maximum <input type="checkbox"/> Pre-Development Only Grant \$200,00 maximum <input type="checkbox"/> PreDesign Only Grant - \$20,000 maximum <p>2. The capital project will involve many development and construction-related activities. Specifically, how will the ELF grant be used? <i>(If applying only for funding for predesign or pre-development work choose only one of the first two options below, otherwise select all that apply. See the NOFO and Program Guidelines for more information.)</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> For <u>facility predesign only</u> <input type="checkbox"/> For <u>facility pre-development only</u> <input type="checkbox"/> To <u>purchase a facility</u> <input type="checkbox"/> For <u>reimbursement of acquisition costs already incurred to purchase a facility</u> <input type="checkbox"/> To <u>plan for and design the facility</u> <input type="checkbox"/> To <u>pay for tenant improvement capital costs</u> <input type="checkbox"/> To <u>renovate or rehab existing square footage of a facility</u> <input type="checkbox"/> For <u>new construction of a facility</u> <input type="checkbox"/> For <u>new construction to add new square footage to an existing facility</u> <input type="checkbox"/> To <u>provision a facility with allowable equipment</u> <p>3. If you are applying for more than one “project” in this funding round, provide a ranked list that clearly indicates your priority for funding if all projects applied for can’t be funded. <i>(See the NOFA for a definition of ‘project’)</i></p>
<p>General Application Questions - Applicant Information</p>	<p>4. State and describe your organization’s mission and if there is a website, provide the web address.</p> <p>5. Tell us how the leadership of your organization reflects the communities this project will serve.</p>

6. What type of business entity is the applicant?

(Select Only One)

- Government
- Tribe
- Non-Profit Corporation
- Public Benefit Corporation
- General Partnership
- Limited Partnership
- Limited Liability Limited Partnership
- Corporation
- Limited Liability Company
- Sole Proprietorship

7. If an award is made, and to contract for the grant, the applicant must be licensed to do business in the state of Washington through the [Department of Revenue \(DOR\)](#). Is the applicant currently licensed with DOR or can the business become licensed by DOR? *(See the Program Guidelines for more information.)*

- Yes, currently licensed
- Not currently licensed, but can be licensed
- Not currently licensed and cannot be licensed

8. What is the legal business name, as registered with the Department of Revenue (DOR), of the entity we will contract with if an award is made?

9. If the name provided as the legal business name (with DOR) is different from the name provided as the applicant of this funding application, please provide an explanation.

10. Provide the WA State Department of Revenue Unified Business Identification Number (UBI) for the business identified. *(See the Program Guidelines for more information.)*

- 11.** If an award is made, and to contract for the grant, all non-profit or for-profit entities must be registered with the Washington State [Secretary of State's \(SOS\)](#). Is the applicant currently registered with SOS or can the entity become registered with SOS? *(See the Program Guidelines for more information.)*
- Yes, currently registered
 - Not currently registered, but can be registered
 - Not currently registered and cannot be registered
 - NA
- 12.** Provide the [Statewide Vendor Number \(SWV\)](#) for the legal business name.
(This information is from the Office of Financial Management. If you do not have an applicable SWV# at time of application, enter NA. A SWV number will be required if the project is selected for funding.)
- 13.** Will the applicant be the operator of the early learning site where the ELF grant will be used?
- Yes
 - No
 - NA *(PreDesign Only Grant or a Pre-Development Only Grant)*
- 14.** If the applicant won't be the operator of the site, is the intended operator known at this time?
- Yes
 - No
 - NA *(PreDesign Only Grant or a Pre-Development Only Grant)*
- 15.** What is the business name of the applicant or intended operator (if known) on file with [DCYF for licensure](#)? *(If there is not yet a license with DCYF, enter NO LICENSE.)*
- 16.** List the names of the other sites owned or operated by the applicant and intended operator (if known). For each site, tell us if the applicant or intended operator is the owner, operator, or owner/operator of the site; if the site is licensed by DCYF; and if the site provides [ECEAP](#) or [WCCC](#) services. *(If this does not apply, enter NA.)*

- 17.** Across all sites owned or operated, how many [ECEAP](#) slots is the applicant, and intended operator (if known), contracted or subcontracted to serve? *(If this does not apply, enter NA.)*
- 18.** Across all sites owned or operated, what is the maximum number of full-time spaces for children receiving [WCCC](#) subsidies does the applicant, and intended operator (if known), accept? *(If this does not apply, enter NA.)*
- 19.** Across all sites owned or operated, if the applicant or intended operator does not currently provide WCCC or ECEAP services, describe any past experience with providing these services or services to children from families at [200% of the Federal Poverty Level](#). *(If this does not apply, enter NA.)*
- 20.** For the site, where the ELF grant will be used, has there been a rating by the [Early Achievers](#) program? If Yes, provide the Rating and Re-Rate Year. If No, enter “X” next to the option for either ‘Not currently enrolled’ or ‘Not currently rated’. *(If applying for PreDesign Only Grant or a Pre-Development Only Grant, enter “NA” next to the option for ‘Rating’.)*

Early Achievers Rating	Response
Rating	
Re-Rate Year	
Not Currently Enrolled	
Not Currently Rated	

- 21.** If the applicant is a subsidiary of another organization, do you have support from the parent organization for the long-term commitment and success of this proposed project?
- Yes
 - No
 - NA, not a subsidiary of another organization
 - NA, applying for a PreDesign Only Grant or a Pre-Development Only Grant

	<p>22. During the commitment period of this capital grant, explain how you will coordinate with the various Washington State Departments for data requests, visits or audits from program staff, and communications about service changes with the site (including interruption, expansion, location updates, etc.). <i>(PreDesign Only Grant or Pre-Development Only grant, enter NA.)</i></p>
<p align="center">General Application Questions - ELF Funded Child Care Site Location & Project Readiness</p>	<p>23. What is the address of the site where the grant funds will be used? Please answer in the following format: <i>Address, City, State, Zip</i>. If an address has not yet been established for the site, provide the abbreviated legal description, and latitude & longitude of the site. If a site is yet to be leased or purchased, enter TBD. <i>(If applying for a PreDesign Only Grant or a Pre-Development Only Grant and real property has already been purchased for a future early learning site, provide the address as indicated in the first bullet above, otherwise enter NA.)</i></p> <p>24. What is the county where the proposed project will be sited? <i>(Select only one)</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Adams <input type="checkbox"/> Asotin <input type="checkbox"/> Benton <input type="checkbox"/> Chelan <input type="checkbox"/> Clallam <input type="checkbox"/> Clark <input type="checkbox"/> Columbia <input type="checkbox"/> Cowlitz <input type="checkbox"/> Douglas <input type="checkbox"/> Ferry <input type="checkbox"/> Franklin <input type="checkbox"/> Garfield <input type="checkbox"/> Grant <input type="checkbox"/> Grays Harbor <input type="checkbox"/> Island <input type="checkbox"/> Jefferson <input type="checkbox"/> King

- Kitsap
- Kittitas
- Klickitat
- Lewis
- Lincoln
- Mason
- Okanogan
- Pacific
- Pend Oreille
- Pierce
- San Juan
- Skagit
- Skamania
- Snohomish
- Spokane
- Stevens
- Thurston
- Wahkiakum
- Walla Walla
- Whatcom
- Whitman
- Yakima

25. Specific to the site where the grant funds will be used, do you currently own or lease the property and do you have a long-term commitment from the owner if you are leasing?

- Own
- Lease of less than 10-years remaining on the term and owner is not aware we have applied for this funding.

- Lease of less than 10-years remaining on the term and owner is aware we have applied for this funding and is supportive of extending the lease to meet the requirements of the BHF Program.
- Lease of 10 or more years remaining on the term and owner is not aware we have applied for this funding.
- Lease of 10 or more years remaining on the term and owner is aware we have applied for this funding and is supportive of the requirements of the BHF Program.
- None of the above, site TBD

26. If neither leased nor owned, tell us about your plan and timeline to secure real property. *(If this question does not apply to your project, enter NA.)*

27. Is the project being proposed in this application part of a larger facility or capital construction project? *(Select all that apply)*

- Affordable housing or multi-family housing project
- Mixed-use development
- Renovation or redevelopment of a campus
- A facility with multiple phases that will occur over a period greater than 2-years
- A multi-story commercial development
- NA

28. Is the applicant in a partnership with an affordable housing project? If yes, provide the name of the affordable housing provider and explain the partnership. *(If this does not apply, enter NA)*

29. Will the ELF grant be used to renovate or build a new kitchen facility equipped to support the use of cooking methods that enhance overall student nutrition? *(PreDesign Only Grant or a Pre-Development Only Grant, enter NA)*

- Yes
- No
- NA

- 30. Scope of Work:** Tell us about the acquisition and/or construction project’s Scope of Work to be completed using the ELF grant. If the proposed project is for a PreDesign Only Grant or a Pre-Development Only Grant, tell us about the Scope of Work for those funds. We want to know the specific plans for the grant funds. Do not assume that anyone reading this application knows anything about you, your area or the development/construction of the project as proposed. *(Grant funds cannot be used for operations or services so do not include this in your Scope of Work.)*
- 31.** If the project will cost more, to be completed, than the requested ELF grant amount, have additional funds been secured to complete the entire project? If no, tell us about your plan and timeline to secure all funds in order to complete the project.
- 32.** How do you anticipate overcoming delays due to materials shortages or labor shortages and possible cost increases? *(PreDesign Only Grant or a Pre-Development Only Grant, enter NA.)*
- 33.** Project readiness is an important component in our funding decision. We must be able to understand where you are in the development process.
(Provide dates for the following)

Activity	Date <i>Use this date format: MM/DD/YYYY.)</i>
If funds, in addition to the ELF grant, are needed in order to complete the proposed project, as outlined in Question #30, by what date is/will those funds be committed.	
If there is more work to be done on the early learning facility, than is outlined in Question #30, by what date is/will those funds be committed for completion of the facility.	

	<p>If the proposed project is being built in coordination with some other capital project on the same site, for example an affordable housing development, provide the date funding for that portion of the project is/will be committed.</p>	
	<p>Date site control was or will be achieved.</p>	
	<p>Projected date of finalized construction budget for the proposed project, outlined in Question #30.</p>	
	<p>Projected date of finalized equipment budget for the proposed project, outlined in Question #30.</p>	
	<p>Projected date for zoning and permitting to be complete for the early learning facility.</p>	
	<p>Projected start date for the PreDesign or Pre-Development work (if a PreDesign or Pre-Development Only Grant)</p>	
	<p>Projected new construction start date for the early learning facility.</p>	
	<p>Projected renovation start date for the early learning facility.</p>	
	<p>Projected start date for the PreDesign or Pre-Development work (if a PreDesign or Pre-Development Only Grant)</p>	
	<p>Projected completion date of new construction or renovation</p>	

**General Application Questions - ELF
Funded Child Care Site Details**

34. If the site, where the ELF grant funds will be used, is currently in operation as an early learning site what is the square footage of the total licensed space? *(Answer NA if this does not apply to the project.)*
35. If the site, where the ELF grant funds will be used, is currently in operation as an early learning site what is the square footage of the early learning facilities classroom(s) space? *(Answer NA if this does not apply to the project.)*
36. Once the proposed project is complete, what is the anticipated square footage of the total licensed space of the early learning site? *(Answer NA if this does not apply to the project.)*
37. Once the proposed project is complete, what is the anticipated square footage of the early learning facilities classroom(s) space? *(Answer NA if this does not apply to the project.)*
38. What [age groups](#) will be served at the proposed early learning site?
(Select all that apply.)
- Infants
 - Toddlers
 - Pre-school
 - School age
 - Other – define
 - To Be Determined
39. What is the **current licensed** early learning capacity at the site? If you don't currently have any licensed early learning at the site, enter 0. *(Answer NA if this does not apply to the project.)*
40. What do you expect the **total licensed** early learning capacity to be (the number of children you expect to serve at a point in time) after the proposed project is complete? *(Answer NA if this does not apply to the project.)*

41. Of the **new licensed** capacity (question 40 minus question 39), what is the number of slots or children with subsidy in the following categories that you anticipate serving at any given point in time? The **TOTAL** of the four categories should equal the response you put in question 40 minus the response you put in question 39. (*Answer NA if this does not apply to the project.*)

Program Type	Number of Slots
ECEAP Only	
WCCC Only	
Both ECEAP and WCCC	
Non-ECEAP and Non-WCCC	
TOTAL	

HOW TO ANSWER QUESTIONS #39-#42

EXAMPLE 1:

Your current licensed capacity is 40. If you receive an ELF grant you will use it to expand your facility to increase your licensed capacity from 40 to 70. Of the 30 new spaces you will add with the ELF grant, you estimate that 20 of those 30 will be for ECEAP and the rest will not be enrolled in either ECEAP or WCCC. After construction is complete you do not anticipate serving more than your licensed capacity of 70 kids in a day.

Question #39. You would enter 40.

Question #40. You would enter 70.

Question #41. You would enter 20 under 'ECEAP only' and 10 under 'Non-ECEAP and Non-WCCC'.

Question #42. You would enter N/A.

EXAMPLE 2:

You are applying for an ELF grant to build a brand new early learning center on land that you own. Your licensed capacity at this site is currently 0, but your plan is for a licensed capacity of 50 once the building is constructed. Of those 50, you plan to serve 21 WCCC kids, 18 kids that will be served by both ECEAP and WCCC, and 11 kids that will not be enrolled in either ECEAP or WCCC. After construction is complete you do not anticipate serving more than your licensed capacity of 50 kids in a day.

Question #39. You would enter 0.

Question #40. You would enter 50.

Question #41. You would enter 0 under 'ECEAP only', 21 under 'WCCC only', 18 under 'Both ECEAP and WCCC', and 11 under 'Non-ECEAP and Non-WCCC'.

Question #42. You would enter N/A.

EXAMPLE 3:

Your current licensed capacity is 20. If you receive an ELF grant you will use it to expand your facility to increase your licensed capacity from 20 to 35. Of the 15 new spaces you will add with the ELF grant, you estimate that 11 of those 15 will be for ECEAP, 2 will be for WCCC, and 2 will not be enrolled in either ECEAP or WCCC. After construction is complete you anticipate that 4 of those spaces will serve different kids in the morning and afternoon.

Question #39. You would enter 20.

Question #40. You would enter 35.

Question #41. You would enter 11 under 'ECEAP only', 2 under 'WCCC only', and 2 under 'Non-ECEAP and Non-WCCC'.

Question #42. You would enter 39. Your new licensed capacity will be 35, but since you plan to serve 4 new kids in the afternoon, the number of kids you serve in a given day will be 39.

Please note that we plan to score based on new licensed capacity created, not number of unique kids served in a day. This is for informational purposes only.

Please also note that the only new ECEAP slots that will be made available by DCYF will be full-day and not part-day.

	<p>42. Do you anticipate serving more children during the course of a day than your licensed capacity allows at a given time (i.e. some children will leave part-way through the day, and others will arrive)? If so, estimate how many children in a given day you will serve. <i>(Answer NA if this does not apply to the project.)</i></p> <p>43. If there is any additional information you would like to provide to explain the breakdown of the responses you provided in questions 39 – 42, please comment here. <i>(Optional)</i></p> <p>44. How will families eligible for ECEAP or WCCC be managed on a wait list? <i>(If a wait list will not be kept, enter NA)</i></p> <p>45. Provide details about how the ECEAP or WCCC increase in capacity, identified throughout this application, will be maintained over-time at the site. <i>(Answer NA if this does not apply to the project.)</i></p>
<p>General Application Questions - Community Benefit</p>	<p>46. Describe the applicant’s, and provider's if different, experience/expertise providing culturally responsive services. If you have no experience, how do you intend to provide culturally responsive services?</p> <p>47. Describe the community partnerships the applicant, and provider if different, has formed through collaboration, coordination, and community networking with other organizations to strengthen the early learning program.</p> <p>48. Describe the services the child care site will provide. If not providing services directly, how will the applicant, and provider if different, partner with others to ensure they are provided? The answer may, and is not limited to, include the following:</p> <ul style="list-style-type: none"> • Describe the services provided for children with complex (or special) needs. • How will access to transportation be provided? • How will language barriers or service to dual language learners be provided?

	<ul style="list-style-type: none"> • How will access to food be provided? • How will underserved and historically marginalized communities and communities of color be served? • How are services for Tribal members coordinated? • How are services for families who may be experiencing homelessness coordinated? • How are services for families experiencing child maltreatment coordinated? • How is trauma informed care practiced? • Are evening or weekend activities for families provided? • Describe other services, or coordination of services, provided for families where traditional services may be lacking.
Budget	<p>Budgets that outline the project's Sources of Funds and Uses of Funds are a required part of the application. If you have not thoroughly reviewed the Program Guidelines for costs that are allowed for reimbursement by the ELF program, it is strongly suggested a review be completed before submitting this budget information. If the guidelines do not provide you enough information to determine if costs you will incur for the proposed project are allowable, you should contact a Program Manager.</p> <p>Sources of Funds Table – The sources of funds table is a breakdown of capital funding for facility completion. This table includes the ELF program grant amount you are requesting along with all other funding sources. There are three columns to this table.</p> <ul style="list-style-type: none"> • Column #1 is specific to the funding needed to complete the Scope of Work as indicated in the application. This will include the ELF grant Amount Requested as well as any other funding needed to complete the Scope of Work. • Column #2 is specific to any other additional funding needed to complete work associated with the early learning facility that is not identified in the Scope of Work of the application. This is work that will happen simultaneous to the work being completed as outlined in the Scope of Work. We want to know the funding sources associated with completing the early learning facility so that it will be operational. Don't include the ELF Grant Amount Requested in this column. You do not need to complete Column #2 if there is no other work that will

occur at the early learning site, for it to be operational, other than what is identified in the Scope of Work.

- Column #3 is to identify other funding sources needed if there is anything else being built on the site. Don't include the ELF Grant Amount Requested in this column. Column #3 should only be completed if the early learning facility is paired with another capital project at the same site.
 - For example, if the early learning facility is paired with an affordable housing development, the third column should show the sources of funding used to complete the affordable housing development.
- Documents that substantiate funding commitments, as outlined in Column #1 & #2 are required, as a document upload. See the Documents tab for more instructions about uploading documents.

Uses of Funds Table – The uses of funds table is a breakdown of capital and related equipment costs. There are three columns to this table.

- Column #1 is specific to the funding needed to complete the Scope of Work as indicated in the application. The total costs will either be equal to the ELF grant Amount Requested, if there is no other funding needed to complete the project, or equal to the total of Column #1 in the Sources of Funds table above if there are additional sources needed to complete the Scope of Work.
- Column #2 is specific to any other additional costs to complete work associated with the early learning facility that is not identified in the Scope of Work of the application. This is work that will happen simultaneous to the work being completed as outlined in the Scope of Work. We want to know the costs associated with completing the early learning facility so that it will be operational. You do not need to complete Column #2 if there is no other work that will occur at the early learning site, for it to be operational, other than what is identified in the Scope of Work.

- Column #3 is to identify other costs if there is anything else being built on the site. This third column should only be used if the proposed early learning facility is paired with another capital project at the same site.
 - For example, if the early learning facility is paired with an affordable housing development, Column #3 should show the total costs to complete the affordable housing development.
- Documents that substantiate costs, as outlined in Column #1 & #2 are required, as a document upload. See the Documents tab for more instructions about uploading documents.

NOTE: The totals of each set of columns of the *Sources of Funds* table must balance with the totals of each set of columns in the *Uses of Funds* table.

Sources of Funds

- 1). In the Item Description, provide the name of the funder and type of funding the will provide.
- 2). In the fields listed under each column, provide the amount of funding that will come from the identified funder.
- 3). You may not need to complete Column #2 or #3, see the instructions above for more details on when to complete these two columns.

Item Description	Column #1	Column #2	Column #3
Early Learning Facilities Grant Amount Requested	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
<input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
	Total USD\$ 0.00	Total USD\$ 0.00	Total USD\$ 0.00

Uses of Funds

1) Some of the Item Descriptions have been provided for you. For Column #1 make sure the costs identified fit into the Item Descriptions provided. You may use the Other line items if you have costs associated with the Scope of Work that do not fit into the line items provided for you. For Column #2 and Column #3 you do not need to use the provided Item Descriptions but you can if you choose.

2) In the fields listed under each column, provide the total cost associated with the corresponding Item Description.

3) You may not need to complete Column #2 or #3, see the instructions above for more details on when to complete these two columns.

Item Description	Column #1	Column #2	Column #3
Acquisition Costs	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Planning & Design	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Architecture & Engineering	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Construction Management	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Construction Costs	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Equipment	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
WA State Sales Tax	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>
Other (please describe)	USDS <input type="text"/>	USDS <input type="text"/>	USDS <input type="text"/>

Documents

Carefully read through each statement for a Document Requested because there are instructions associated with each type of document we are requesting.

There are two types of required documents listed below:

- If a document is indicated as "Required" and it is highlighted, this is information that is required in order for your application to be submitted. This means you will not be able to submit the application without uploading the requested document. Don't upload a document telling us you don't have the requested information. The requested information is a required part of a complete application. Information not provided will cause the application to be considered incomplete and will not be reviewed.
- If a document is indicated "required if applicable," within the text of the description of what is being requested, this information is required for your application to be considered

complete. You must upload the requested information if it is applicable to your proposed project, don't upload a document telling us you don't have the requested information. Information not provided will cause the application to be considered incomplete and will not be reviewed.

NOTE: Preliminary construction and equipment bid documents are a required part of the application and should reflect what you told us on the Budget tab for Column #1 & #2. If preliminary construction and equipment bids are not yet available for the project, the applicant may submit an estimate for costs as long as that estimate is produced by an authority that has a solid reputation estimating construction project costs and can accurately estimate costs within the parameters of the proposed project. In the estimate, identify the name of the business providing the estimate, the name of the estimator and the date the estimate was developed. Funding sources identified in Column #1 & #2 on the Budget tab must be substantiated by uploading documentation that either shows the funds are committed or if funds are not committed, provide a plan and timeline for getting funds committed.

If required documents are not submitted with the application by the closing date and time (December 1, 2021 at 5:00pm), the application will be considered incomplete and not reviewed. For more information, please review the [Program Guidelines and NOFO](#).

If a document is indicated as "optional," you do not need to submit that information. If you do submit the "optional" information, please be sure to submit it all as one document for the specific information being requested.

Documents Requested *	Location	Required?
Upload a complete Uses of Funds Budget Narrative, a template is provided below. If the proposed project will include pre-design, pre-development or construction activities, this document is a required part of the application. download template [Delete]	Documents	<input type="checkbox"/>
Preliminary construction Bid: If the proposed project will include construction activities, a preliminary construction bid is a required part of the application.	Documents	<input type="checkbox"/>
Preliminary Equipment Bid: If the proposed project includes equipping a facility with early learning related equipment, a preliminary bid for equipment is a required part of the application.	Documents	<input type="checkbox"/>
Final Bids: If you have final construction or equipment bids, please upload. Final bids are not a requirement of the application.	Documents	<input type="checkbox"/>
Site Control: If the proposed project is for new construction of a early learning facility on property already owned by the applicant, upload the Deed indicating ownership of the real property. *Required if applicable	Documents	<input type="checkbox"/>
Site Control: If the proposed project is to renovate real property already owned by the applicant, upload the Deed indicating ownership of the real property. *Required if applicable	Documents	<input type="checkbox"/>
Site Control: If the proposed project is for new construction of a early learning facility on leased property, upload a copy of the lease. *Required if applicable	Documents	<input type="checkbox"/>
Site Control: If the proposed project is for renovation of real property that is leased, upload a copy of the lease. *Required if applicable	Documents	<input type="checkbox"/>
Site Control: If you have not previously uploaded documents proving site control, upload your plan and timeline for securing property. If you have documentation that supports your plan, be sure to upload those documents in addition to the plan.	Documents	<input type="checkbox"/>
If the applicant indicated in the application that the organization applying for these funds is a subsidiary of another organization, upload a letter of support for this project from the parent organization. This is a required document if applicable	Documents	<input type="checkbox"/>
Funding Commitment Statement: Funding sources listed in the Sources of Funds table must be substantiated with letters of commitment, upload letters as one document. If funds are not committed, provide a plan and timeline for getting funds committed.	Documents	<input checked="" type="checkbox"/>
Operating Budget: Upload a complete budget, a template is provided. If you have your own budget, that follows our requirements outlined in the template, you may upload your own budget. Also allowable is a Cost Model or Proforma Income Statement. download template [Delete]	Documents	<input checked="" type="checkbox"/>
Operating Plan: Upload an operations plan for the EL facility, a template is provided. This document is not the same as the Operating Budget but should correspond to the budget. Your plan may be in DRAFT status but should be as detailed as possible. download template [Delete]	Documents	<input checked="" type="checkbox"/>
Upload letters of support from community organizations for the specific proposed project. This is an optional part of the application.	Documents	<input type="checkbox"/>
Upload documents showing status of zoning and permitting of the site. This is an optional part of the application.	Documents	<input type="checkbox"/>
Upload documents showing status of DCYF licensure. This an optional part of the application.	Documents	<input type="checkbox"/>
Upload documents showing status of the applicants ability to provide ECEAP or WCCC programming at the early learning site. This is an optional part of the application.	Documents	<input type="checkbox"/>

IX. TECHNICAL ASSISTANCE

Questions specific to the ZoomGrants system, please contact ZoomGrants:

Online: <https://www.zoomgrants.com/about-us/request-technical-help/>

Phone: 866-323-5404 x2

A live questions and answers period, for completing an application, is available based on the timeline provided in Section II of this NOFO.

Contact ELF Program staff:

Amy Gutierrez at 360-280-0010 Amy.Gutierrez@commerce.wa.gov or earlylearningfacilities@commerce.wa.gov

The ELF Program provided a live webinar on September 15, 2021 for review of program requirements and the application process. A recording of the webinar and the PowerPoint slide deck are available on the ELF Program [webpage](#).

Program or application questions that come up after the live questions and answers period, outlined in Section II of this NOFO, may be addressed by referencing our Frequently Asked Questions (FAQ) at the [Community Capital Facilities - Early Learning Facilities](#) webpage.

Technical assistance related to project design, licensure or certification requirements is available by contacting:

[Washington State Department of Children, Youth & Families - Facility Development Technical Assistance](#)

[Washington State Department of Children Youth & Families - Licensure & ECEAP/WCCC Programming](#)

For questions and clarifications about this NOFO, contact the NOFO Coordinator:

Tanya Mercier, Early Learning and Behavioral Health Facilities Program Manager

Tanya.Mercier@commerce.wa.gov

X. APPLICATION DEBRIEFING

If an applicant has questions about how the solicitation was conducted or about the evaluation process, following the announcement of successful awardees, the applicant may request a debrief with program staff. The applicant must make a request for a debrief during the Application Debriefing Period outlined in Section II of this NOFO. We will allow applicants to request a debrief for any of the following:

- To receive feedback about the applicant's submitted application
- A matter of bias, discrimination, or conflict of interest on the part of an evaluator
- Non-compliance with procedures described in the NOFO

ELF Program staff shall provide a meeting time so that the applicant and ELF Program staff can meet for the debrief. The meeting will be scheduled no more than ten (10) business days from the receipt of the request for a debrief, unless additional time is needed. ELF Program staff shall notify the applicant if additional time is needed.

The ELF Program decision is final and no appeal process is allowed.

XI. DISCLAIMER

The ELF Program reserves the right to revise this NOFO, Program Guidelines and FAQ at its sole discretion. If so, updated information will be published on the [Community Capital Facilities - Early Learning Facilities](#) webpage. Be advised that numbers for application questions and order of questions, as outlined in this NOFA, may change in the actual ZoomGrants online application.

XII. PROPRIETARY INFORMATION AND PUBLIC DISCLOSURE

All applicants should be aware that applications submitted in response to this NOFA shall be the property of Commerce. All applications received shall remain confidential until funding decisions are announced; thereafter, the applicants and all submitted materials shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the applicant desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the applicant is making the claim must be cited. Each answer to an application question or page of supplemental information provided that contains the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information." This identification should be printed on the lower right hand corner of the page for supplemental information and in the right hand corner of any answer provided to a question in the application. A document should be uploaded into the documents section of your application identifying all application questions and supplemental information that the applicant has indicated as Proprietary Information and also the particular exemption citation. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored. If a public records request is made for the information that the applicant has marked as "Proprietary Information," Commerce will notify the applicant of the request and of the date that the records will be released to the requester unless the applicant obtains a court order enjoining that disclosure.

If the applicant fails to obtain the court order enjoining disclosure, Commerce will release the requested information on the date specified. If an applicant obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, Commerce shall maintain the confidentiality of the applicant's information per the court order.