

**State of Hawai`i
Department of the Attorney General
Crime Prevention and Justice Assistance
Grants and Planning Branch**



Request for Proposals

RFP Number: AG-CPJAD-VAWA-2010-WF

**Victim Services for Adult Female Victims of Domestic
Violence, Dating Violence, Sexual Assault, or Stalking**

Date Issued: September 29, 2011

Deadline: November 7, 2011

Note: If this RFP was downloaded from the State Procurement Office RFP Website, each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, you may download the [RFP Interest Form](#), complete and e-mail or mail to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

September 29, 2011

REQUEST FOR PROPOSALS

Victim Services for Adult Female Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

RFP No. AG-CPJAD-VAWA-2010-WF

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, is requesting proposals from qualified non-profit, non-governmental agencies, including faith-based and community organizations, to create, improve, or enhance core victim services, and/or develop, maintain or expand coordinated community responses relating to domestic violence, dating violence, sexual assault, or stalking.

Funding is available through the STOP (*Services*Training*Officers*Prosecutors*) Violence Against Women Act (VAWA) Formula Grant, which promotes comprehensive, multidisciplinary approaches to addressing violence against women by supporting projects or initiatives that are sensitive to the needs and safety of victims and hold offenders accountable. Multiple contracts may be awarded under this RFP. However, multiple proposals must be physically separate and ranked according to priority by the applicant.

The contract term will be for a 12-month period beginning December 1, 2011 or upon Notice to Proceed, whichever is later. The probable funding amount is up to **\$499,780** from the following fiscal year STOP grants:

FY 2009:	\$84,645
FY 2010:	\$415,135*

**Of this amount, at least \$27,676 must be set aside for culturally and linguistic-specific services.*

Proposals (one original and four copies) shall be mailed, postmarked by the United States Postal Service (USPS) on **November 7, 2011** and received no later than 10 days from the submittal deadline. Hand-delivered proposals shall be received no later than 4:30 p.m., Hawaii Standard Time (HST) on November 7, 2011 at:

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Attention: Ms. Helena Manzano
RFP No. AG-CPJAD-VAWA-2010-WF

The Department will conduct an RFP orientation on October 7, 2011 from 2:00 p.m. to 3:30 p.m., HST at the following location:

Leiopapa A Kamehameha Building (State Office Tower)
235 South Beretania Street, Conference Room 302
Honolulu, Hawaii 96813

All prospective applicants are strongly encouraged to attend the orientation. Written questions may be submitted prior to the orientation but no later than October 14, 2011. All written questions will receive written responses from the Department by October 24, 2011.

Inquiries regarding this RFP should be directed to the RFP Contact Person:

Ms. Helena Manzano
Criminal Justice Planning Specialist
Department of the Attorney General
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Phone: (808) 586-1164 or Fax: (808) 586-1097
E-mail: Helena.Y.Manzano@hawaii.gov

PROPOSAL MAIL-IN AND DELIVERY INFORMATION

NUMBER OF COPIES TO BE SUBMITTED: 1 Original and 4 Copies

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN NOVEMBER 7, 2011 and received by the state purchasing agency **no later than 10 days from the submittal deadline.**

All Mail-ins

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 S. Beretania Street, Suite 401
Honolulu, Hawaii 96813-2427

RFP Coordinator

Helena Manzano, Planning Specialist
For inquiries:
Phone: (808) 586-1164 Fax: (808) 586-1097
E-mail: Helena.Y.Manzano@hawaii.gov

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL **4:30 P.M., Hawaii Standard Time (HST), November 7, 2011.** Deliveries by private mail services such as FEDEX shall be considered hand deliveries. Hand deliveries shall not be accepted if received after 4:30 p.m., November 7, 2011.

Drop-off Site

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 S. Beretania Street, Suite 401
Honolulu, Hawaii 96813

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Section 1

Administrative Overview

Section 1

Administrative Overview

Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RPF.

I. Procurement Timetable

Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.

<u>Activity</u>	<u>Scheduled Date</u>
Public notice announcing Request for Proposals (RFP)	September 29, 2011
Distribution of RFP	September 29 – November 7, 2011
RFP orientation session	October 7, 2011
Closing date for submission of written questions for written responses	October 14, 2011
State purchasing agency's response to applicants' written questions	October 7 – October 24, 2011
Discussions with applicant prior to proposal submittal deadline (optional)	September 29 – October 24, 2011
Proposal submittal deadline	November 7, 2011
Discussions with applicant after proposal submittal deadline (optional)	November 8 – 9, 2011
Final revised proposals (optional)	November 10, 2011
Proposal evaluation period	November 10 – 18, 2011
Provider selection	November 21 – 25, 2011
Notice of statement of findings and decision	November 28 – 30, 2011
Contract start date	December 1, 2011 Or upon Notice to Proceed

II. Website Reference

The State Procurement Office (SPO) website is <http://hawaii.gov/spo/>

	For	Click
1	Procurement of Health and Human Services	"Health and Human Services, Chapter 103F, HRS..."
2	RFP website	"Health and Human Services, Ch. 103F..." and "The RFP Website" (located under Quicklinks)
3	Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services	"Statutes and Rules" and "Procurement of Health and Human Services"
4	Forms	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Forms"
5	Cost Principles	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Cost Principles"
6	Standard Contract –General Conditions	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Contract Template – General Conditions" (AG Form 103F 10/08)
7	Protest Forms/Procedures	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Protests"

Non-SPO Websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at <http://hawaii.gov>)

	For	Go to
8	VAWA STOP Fillable Forms (Attorney General website)	http://hawaii.gov/ag/cpja/main/gp
9	Tax Clearance Forms (Department of Taxation website)	http://hawaii.gov/tax/ click "Forms"
10	Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website)	http://capitol.hawaii.gov/ click "Bill Status and Documents" and "Browse the HRS Sections"
11	Department of Commerce and Consumer Affairs, Business Registration	http://hawaii.gov/dcca click "Business Registration"
12	Campaign Spending Commission	http://hawaii.gov/campaign
13	Hawaii Compliance Express	http://vendors.ehawaii.gov/hce

III. Authority

This Request For Proposal (RFP) is issued under the provisions of the Hawaii Revised Statutes (HRS) Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal

by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

IV. RFP Organization

This RFP is organized into five sections:

Section 1, Administrative Overview: Provides applicants with an overview of the procurement process.

Section 2, Service Specifications: Provides applicants with a general description of the tasks to be performed, delineates provider responsibilities, and defines deliverables (as applicable).

Section 3, Proposal Application Instructions: Describes the required format and content for the proposal application.

Section 4, Proposal Evaluation: Describes how proposals will be evaluated by the state purchasing agency.

Section 5, Attachments: Provides applicants with information and forms necessary to complete the application.

V. Contracting Office

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

Department of Attorney General
Crime Prevention and Justice Assistance Division
235 S. Beretania Street, Suite 401
Honolulu, Hawaii 96813
Phone: (808) 586-1150 Fax: (808) 586-1097
Website: <http://hawaii.gov/ag/cpja/main/gp>

VI. RFP Orientation

An orientation for applicants in reference to the request for proposals will be held as follows:

Date: October 7, 2011 **Time:** 2:00 – 3:30 p.m.
Location: Leiopapa A Kamehameha Building
235 S. Beretania Street, Conference Room 302
Honolulu, Hawaii 96813

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the paragraph VII. Submission of Questions.

VII. Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in Section 2 of this RFP. All written questions will receive a written response from the state purchasing agency.

Deadline for submission of written questions:

Date: October 14, 2011 **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by:

Date: October 24, 2011

VIII. Submission of Proposals

A. **Forms/Formats** – Forms, with the exception of program specific requirements, may be found on the State Procurement Office website referred to in II. Website Reference. Refer to the Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPO-H-200).** Provides applicant proposal identification.
2. **Proposal Application Checklist.** Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
3. **Table of Contents.** A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.

4. **Proposal Application (Form SPO-H-200A).** Applicant shall submit comprehensive narratives that address all of the proposal requirements contained in Section 3 of this RFP, including a cost proposal/budget if required.
- B. **Program Specific Requirements.** Program specific requirements are included in Section 2, Service Specifications and Section 3, Proposal Application Instructions, as applicable. If required, Federal and/or State certifications are listed on the Proposal Application Checklist located in Section 5.
 - C. **Multiple or Alternate Proposals.** Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
 - D. **Tax Clearance.** Pursuant to HRS Section 103-53, as a prerequisite to entering into contracts of \$25,000 or more, applicants are required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate shall have an original green certified copy stamp and shall be valid for six (6) months from the most recent approval stamp date on the certificate. Tax clearance applications may be obtained from the Department of Taxation website. (Refer to this section's paragraph II, Website Reference.)
 - E. **Wages and Labor Law Compliance.** If applicable, the applicant must certify that it is in compliance with HRS Section 103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to HRS Section 103-55 at the Hawaii State Legislature website. (See paragraph II, Website Reference.)
 - **Compliance with all Applicable State Business and Employment Laws.** All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations, unincorporated associations, and foreign insurance companies must be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See paragraph II, Website Reference.)
 - F. **Hawaii Compliance Express (HCE).** Applicants may register with HCE for online proof of DOTAX and IRS tax clearance, Department of Labor and Industrial Relations (DLIR) labor law compliance, and DCCA good standing

compliance. There is a nominal annual fee for the service. The “Certificate of Vendor Compliance” issued online through HCE provides the registered provider’s current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. Refer to this section’s paragraph II, Website Reference for HCE’s website address.

- G. **Campaign Contributions by State and County Contractors.** Applicants are hereby notified that pursuant to HRS Section 11-205.5, campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, FAQs are available at the Campaign Spending Commission webpage. (See paragraph II, Website Reference.)
- H. **Confidential Information.** If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing non-disclosure of designated proprietary data and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note that price is not considered confidential and will not be withheld.

- I. **Confidentiality of Personal Information.** Act 10 relating to personal information was enacted in the 2008 special legislative session. As a result, the Attorney General’s General Conditions Form (AG Form 103F), *Confidentiality of Personal Information*, has been amended to include Section 8 regarding protection of the use and disclosure of personal information administered by the agencies and given to third parties.
- J. **Proposal Submittal.** All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the state purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the state purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. Proposals shall be rejected when:
- Postmarked after the designated date; or
 - Postmarked by the designated date but not received within 10 days from the submittal deadline; or
 - If hand delivered, received after the designated date and time.

The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall

be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks. Faxed proposals, proposals submitted on diskette/CD, or proposals transmitted via email are not permitted.

IX. Discussions with Applicants

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. After Proposal Submittal Deadline.** Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance HAR Section 3-143-403.

X. Opening of Proposals

Upon receipt of a proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

XI. Additional Materials and Documentation

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

XII. RFP Amendments

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

XIII. Final Revised Proposals

If requested, final revised proposals shall be submitted by the specified deadline. If a final revised proposal is not submitted, the previous submittal shall be construed

as the applicant's best and final offer/proposal. *The applicant shall submit only the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

XIV. Cancellation of Request for Proposals

The RFP may be cancelled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

XV. Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

XVI. Provider Participation in Planning

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a RFP, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with HAR Sections 3-142-202 and 3-142-203.

XVII. Rejection of Proposals

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons:

- 1) Rejection for failure to cooperate or deal in good faith (HAR Section 3-141-201)
- 2) Rejection for inadequate accounting system (HAR Section 3-141-202)
- 3) Late proposals (HAR Section 3-143-603)
- 4) Inadequate response to request for proposals (HAR Section 3-143-609)
- 5) Proposal not responsive (HAR Section 3-143-610(a)(1))
- 6) Applicant not responsible (HAR Section 3-143-610(a)(2))

XVIII. Notice of Award

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

XIX. Protests

Any applicant may file a protest against the awarding of the contract by completing the Notice of Protest form, SPO-H-801 (See Section 1- II for SPO website.) Only the following matters may be protested:

- 1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- 2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- 3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to: 1) the head of the state purchasing agency conducting the protested procurement, and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand-deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

Head of State Purchasing Agency	Procurement Officer
Name: The Honorable David M. Louie	Name: Julie Ebato
Title: Attorney General	Title: Branch Chief, CPJAD/GP
Business/Mailing Address: 425 Queen Street Honolulu, Hawaii 96813	Business/Mailing Address: 235 S. Beretania Street, Suite 401 Honolulu, Hawaii 96813

XX. Availability of Funds

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to HRS Chapter 37, and subject to the availability of State and/or Federal funds.

XXI. General and Special Conditions of Contract

The general conditions that will be imposed contractually are on the SPO website. (See paragraph II, Website Reference.) Special conditions may also be imposed contractually by the state purchasing agency as deemed necessary.

XXII. Cost Principles

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under HRS Chapter 103F, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201, which is available on the SPO website (see paragraph II, Website Reference.) Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

Section 2

Service Specifications

Section 2

Service Specifications

I. Introduction

A. Overview

The U.S. Department of Justice, Office on Violence Against Women provides the Services-Training-Officers-Prosecutors (STOP) Violence Against Women Act (VAWA) Formula Grants to states and territories to promote a coordinated, multidisciplinary approach to victim advocacy and systems response to violent crimes against women. The STOP Program was initially authorized under the Violence Against Women Act (VAWA) of 1994 and was reauthorized and amended by VAWA of 2000 and 2005. The STOP Program continues its focus on the implementation of comprehensive strategies that are sensitive to the needs and safety of victims and hold offenders accountable. States and territories are encouraged to carry out these strategies by forging partnerships between victim services providers and criminal justice agencies and to look beyond traditional resources and seek new partners, including faith-based and community organizations.

As the State Administering Agency for Hawaii's STOP grant, the Department of the Attorney General supports projects and initiatives that address crimes of domestic violence, dating violence, sexual assault, and stalking. The Department is soliciting proposals from non-profit, non-governmental agencies, including faith-based and community organizations, that create, improve, or enhance core services for adult female victims of domestic violence, dating violence, sexual assault, and stalking, and/or proposals that support effective coordinated community response to domestic violence, dating violence, sexual assault, stalking.

B. Planning Activities Conducted in Preparation for this RFP

The Department issued a Request for Information (RFI) on August 18, 2011 to seek inputs and comments from provider organizations regarding the RFP's service specifications. An RFI meeting was held on August 31, 2011 from 1:00 p.m. to 3:00 p.m. at the Leiopapa A Kamehameha Building, 235 S. Beretania Street, Conference Room 302, Honolulu, Hawaii 96813.

C. Fund Allocation

VAWA mandates that STOP funds be distributed according to a formula plan: 25 percent to law enforcement, 25 percent to prosecution, 5 percent to the Judiciary, and 30 percent to non-profit, non-governmental victim services providers. A minimum of 10 percent from the victim services allocation must be set aside for culturally and

linguistic-specific community-based organizations.³ The remaining 15 percent is distributed among service providers and/or criminal justice agencies at the discretion of the State.

The funding available under this RFP includes a portion of the discretionary funds from the FY 2009 STOP grant and the entire victim services and discretionary allocations from the FY 2010 STOP grant. Agency match is not required but may be made on a voluntary basis.

D. Federal Statutory Eligibility Requirements of VAWA 2005

The Department and its grantees must meet certain federal eligibility criteria established by the Violence Against Women and Department of Justice Reauthorization Act of 2005 and the Office of Justice Programs Financial Guide in order to receive STOP funds (<http://www.ojp.usdoj.gov/financialguide/index.htm>).

- 1. Confidentiality** – Grantees and subgrantees receiving VAWA funds must protect the confidentiality and privacy of persons receiving services to ensure their safety and their families' safety. Grantees and subgrantees are prohibited from disclosing personally identifying information collected in connection with services requested, utilized, or denied through the grantee's program, to any third party or third party database without informed, written, reasonably time-limited, consent of the person, unless compelled by statutory or court mandate. Grantees and subgrantees intending to share aggregate information with other organizations must ensure that such information does not identify specific individuals.
- 2. Filing Costs for Criminal Charges and Protection Orders** – Victims will not be charged a fee to file misdemeanor or felony criminal charges against the offender in a domestic violence offense. Victims will not pay any costs associated with the filing, issuance, registration, or services of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside the state or local jurisdiction for protection against domestic violence, sexual assault, or stalking.
- 3. Forensic Medical Examination** – The state, unit of local government or another governmental entity shall incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault.

Trained examiners perform forensic medical exams for victims of sexual assault and do not require victims of sexual assault to pay or seek reimbursement for the exam from their insurance carriers.

The state, unit of local government or another governmental entity will not require victims of sexual assault to participate in the criminal justice system or cooperate

³ See paragraph V. Definitions Applicable to VAWA Program. See also the definition for community-based organization and culturally and linguistically specific services.

with law enforcement in order to be provided with a forensic exam, reimbursement for the cost of the exam, or both.

4. **Judicial Notification** – The State of Hawaii and local judicial administrative policies and practices include notification to domestic violence offenders of Federal, State, or local gun laws.
5. **Polygraph Testing Prohibition** – Federal statutes require a state or territory to certify their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, State, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. The refusal of a victim to submit to an examination shall not prevent the investigation, charging, or prosecution of the offense.

E. Federal Requirements and Grant Conditions

1. DUNS number is required. In accordance with the Federal Funding Accountability Act (FFATA) of 2006, all applicants must have a DUNS (Data Universal Numbering System) number to be eligible for STOP funds. Applicants that do not have a DUNS number, should request one through the D&B D-U-N-S Request Service for US Federal Government Contractors and Grantees (<http://fedgov.dnb.com/webform/displayHomePage.do>)

Note: Applicants must provide the Agency's DUNS number at the time the application is submitted to the Department of the Attorney General.

2. Central Contractor Registration (CCR) is required. All applicants applying for STOP funds must obtain and maintain a current registration in the Central Contractor Registration (CCR) database. The CCR is the primary contractor database for the US Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. There is no cost to registrants for registering in CCR website <https://www.bpn.gov/ccr/default.aspx> Check to see if your agency is already registered with the CCR. The DUNS number provided in your application **must match** the number in the CCR.

Note: Applicants must update or renew their CCR registration to maintain an active status.

3. Federal Reporting Requirement Under OVW. All applicants awarded STOP funds must submit an annual progress report for the duration of the award. A copy of the reporting format will be provided at the time of award.

F. Limitations on STOP Program Funding

Target Population. With certain exceptions, STOP funded services must be specific to adult female victims of domestic violence, dating violence, sexual assault, or stalking.

Legal Services. In addition to the clear criminal justice purposes for which the Violence Against Women Act was intended, funding for civil justice assistance is allowable. This funding is limited by the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Violence Against Women Act, to situations that bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters. Since it is consistent with the overall intent of the statute, legal assistance to victims attempting to obtain civil protection orders may be supported.

- STOP Program funds may not be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the 14 VAWA purpose areas for which STOP Program funds may be used.
- STOP Program funds may not support legal or defense services for perpetrators.

Prevention. STOP Program funds may not be used for prevention activities such as developing prevention curricula on domestic violence, dating violence, sexual assault, or stalking.

Other unallowable use of STOP funds include:

- Lobbying
- Fundraising
- Research projects
- Building renovations

G. Activities That May Compromise Victim Safety

Ensuring victim safety is the guiding principle underlying the STOP Grant Program. Certain activities have been found to decrease victim safety, deter or prevent physical and emotional healing for victims or allow offenders to escape responsibility for their actions. Accordingly, consistent with the goals of ensuring victim safety while holding perpetrators accountable for their criminal conduct, applicants are strongly discouraged from proposing projects that include any activities that may compromise victim safety such as the following:

- offering perpetrators the option of entering pre-trial diversion programs;
- requiring mediation or counseling for couples as a systemic response to domestic violence or sexual assault;
- requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- relying on court mandated batterer intervention programs that do not use the

coercive power of the criminal justice system to hold batterers accountable for their behavior;

- supporting policies that deny individuals access to services based on their relationship to the perpetrator;
- developing materials that are not tailored to the dynamics of sexual assault;
- placing of batterers in anger management programs; or,
- procedures that would penalize victims of domestic violence for failure to testify against their abusers or impose other sanctions on them.

H. VAWA Statutory Purpose Areas

To be eligible for funding under the Violence Against Women Act, applicants must design projects that fall within at least one of the fourteen authorized purpose areas:

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women including the crimes of sexual assault and domestic violence.
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence.
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence.
5. Developing, enlarging, or strengthening victim services programs, including sexual assault, domestic violence, and dating violence programs; developing or improving delivery of victim services to underserved populations; providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence.
6. Developing, enlarging, or strengthening programs addressing stalking.
7. Developing, enlarging, or strengthening programs that address the needs and circumstances of Indian tribes dealing with violent crimes against women, including the crimes of sexual assault and domestic violence.

8. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim service agencies, and other state agencies and departments to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
9. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
10. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of sexual assault or domestic violence, including recognizing, investigating, and prosecuting instances of such assault or violence and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.
11. Providing assistance to victims of sexual assault and domestic violence in immigration matters.
12. Maintaining core victim services and criminal justice initiatives while supporting complementary new initiatives and emergency services for victims and their families.
13. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities –
 - a. developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;
 - b. notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
 - c. referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and,
 - d. taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order; and
14. To provide funding to law enforcement agencies, non-profit non-governmental victim service providers, and State, tribal, territorial, and local governments, (which

funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote –

- a. the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates”, to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
- b. the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003); and,
- c. the development of such protocols in collaboration with State, tribal, territorial and local victim services providers and domestic violence coalitions.

Note: Any law enforcement, State, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program under paragraph 14 shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide a report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol.

I. State VAWA Implementation Plan and Planning Committee

To be eligible for the STOP funds, States are required to develop their Implementation Plans through deliberative consultation and coordination with a broad range of participants, including private, non-profit service providers (e.g., sexual assault and domestic violence programs) and victim advocates.

The State’s *VAWA Planning Committee (VPC)* was established in 1995 and comprises an equitable representation of criminal justice agencies and non-profit, non-governmental victim services agencies: three domestic violence and sexual assault victim services programs; two state coalitions (domestic violence and sexual assault); two prosecuting attorneys; two police chiefs; one family court judge; and three directors from the Department of Health, Department of Human Services and the State Commission on the Status of Women. The U.S. Attorney is an ex-officio VPC member.

As the VPC chair, the State Attorney General convened a VPC meeting on August 24, 2011 to review, discuss, and approve the Implementation Plan for FY 2012-2014. To view or download the Plan: <http://hawaii.gov/ag/cpja/main/gp>

The Plan identifies the funding priorities for STOP funds and the types of programs and projects that the State intends to support. The Plan includes an overview of the process by which representative agencies and entities participated in developing the plan; provides data and analyses of current and/or emerging trends relating to violent crimes against women; describes any shifts in the direction of funding priorities as a result of reevaluation or reassessment of previous efforts; explains how funding will be distributed across law enforcement, prosecution, and victim services categories; and describes how the success of grant-funded activities will be evaluated.

J. Funding Priority Areas

The funding priority areas for victim services are:

1. Support and develop core victim services, including but not limited to:
 - Advocacy
 - Case management
 - Counseling
 - Crisis response
 - Increased accessibility by underserved and special populations, including immigrant victims, and victims with disability, substance abuse or mental health issues
 - Legal assistance
 - Shelter
 - Transitional services
2. Develop an effective coordinated community response for domestic violence, dating violence, sexual assault, and/or stalking.

K. Description of the Goals of the Service

The Department seeks projects and initiatives that create, improve or enhance victim services and support a coordinated community response to domestic violence, dating violence, sexual assault, and stalking.

L. Description of the Target Population to be Served

STOP funded activities must be focused on adult female victims of domestic violence, dating violence, sexual assault, and stalking. Services to children must show an inextricable link and be the direct result of providing services to the adult victims. Services may be provided to adolescents age 13 or older who are: 1) victims of dating violence, or 2) sexually assaulted by a person who is not a family or household

member.⁴ Similarly situated male victims who request services may be eligible as long as the agency's primary focus is on efforts to stop violence against women.

M. Geographic Coverage of Service

Service areas for this RFP consist of the islands of Hawaii, Kauai, Maui, Molokai, Lanai, and Oahu. The applicant may apply in any one or more of these areas, or a specific geographic sector within an island. However, the applicant shall demonstrate the actual capacity to provide the required services in the service area for which it is applying.

N. Probable Funding Amounts, Source, and Period of Availability

Total Funding Available: \$499,780

Source of Funding:

	<u>Discretionary Allocation</u>	<u>Victim Services Allocation</u>
FY 2009 STOP	\$84,645	N/A
FY 2010 STOP	\$138,377	\$276,758*

**At least 10% or \$27,676 must be set aside for culturally and linguistic-specific services⁵*

Match: No match is required for victim services allocation and the discretionary allocation, but may be made on a voluntary basis.

Availability Period: 12-month contract period starting December 1, 2011 or upon Notice to Proceed, whichever is later

II. General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall be a non-profit, non-governmental victim services agency. Faith-based organizations are also eligible to apply. ALL applicants shall comply with provisions set forth in 28 C.F.R. pt. 38 (available online at www.usdoj.gov/fbci/reginfo.html).
2. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/1/98). Refer to SPO website in Section 1 - II. Website Reference.

⁴ The Department of the Attorney General received confirmation from OVW that adolescent victims (13 years and older) of dating violence or sexual assault are eligible for services under the STOP Program.

⁵ This is a mandatory provision under VAWA 2005. The State also has the discretion to award more than the 10 percent minimum set aside for culturally specific community-based organization services.

3. The applicant shall comply with the guidelines set forth in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 3796 et seq., as amended, and all applicable federal regulations and guidelines, including but not limited to Office of Management and Budget Guidance Manual entitled “Financial and Administrative Guide for Grants.”
4. The applicant shall develop and maintain fiscal, statistical, and administrative records pertaining to services as specified by the Department.
5. The applicant shall complete and submit to the Department a Certification Regarding Drug-Free Workplace Requirements which meets the requirements of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D), hereinafter referred to as the “Drug-Free Workplace Certification.”
6. The applicant shall complete and submit to the Department a Certification Regarding Debarment, Suspension Ineligibility and Voluntary Exclusion, hereinafter referred to as the “Debarment Certification.”
7. The applicant shall complete and submit to the Department a Certification Regarding Lobbying, hereinafter referred to as the “Lobbying Certification,” and any subsequent disclosure forms required under Section 1352, Title 31 U.S.C.
8. The applicant shall comply with non-discrimination requirements: Title VI of the Civil Rights Act of 1964 (with respect to race, sex, religion, creed, national origin), Title VII of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973 (handicap), as amended, Title IX of the Education Amendments of 1972 (race, sex, religion, creed, national origin), the Age Discrimination Act of 1975 (age), Executive Order 12138, 44 C.F.R. 29637 (affirmative action for women’s business), the United States Department of Justice Non-Discrimination Regulation, 28 C.F.R. Part 42, Subparts C, D, E and G, the Americans with Disabilities Act of 1990 42 U.S.C. §§ 12101 et seq., and the Hawaii State Fair Employment Practices Act, Chapter 378, Hawaii Revised Statutes, and all other applicable federal, state and local laws, rules and regulations; Executive Order No. 13279, 28 C.F.R. Part 38 (equal protection of the laws for faith-based and community organizations); Executive Order No. 13166 and U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.
9. The applicant shall complete and submit to the Department a Certification of Non-Supplanting hereinafter referred to as the “Non-Supplanting Certification.” The applicant assures the Department that federal funds provided pursuant to a contract awarded under this RFP will be used to supplement existing funds for program activities and not replace (supplant) nonfederal funds that have been appropriated for the same purpose.

10. The applicant shall complete and submit to the Department an Acceptance of Conditions, hereinafter referred to as the “Acceptance of VAWA Special Conditions.”
11. The applicant shall complete and submit to the Department a Certificate of Non-Discrimination Complaint Procedures.

C. Secondary purchaser participation
(Refer to HAR Section 3-143-608)

After-the-fact secondary purchases will be allowed.
Planned secondary purchases: None.

C. Multiple or alternate proposals
(Refer to HAR Section 3-143-605)

Multiple proposals are allowed but must be physically separate proposals and ranked according to priority (i.e., 1 = top priority).

D. Single or multiple contracts to be awarded
(Refer to HAR Section 3-143-206)

Single and multiple contracts may be awarded.

Criteria for multiple awards: Different geographic areas, target population, and types of services proposed, including services for underserved populations with language barriers, cultural and linguistically specific community-based services that benefit adult female victims of domestic violence, dating violence, sexual assault, or stalking.

E. Single or multi-term contracts to be awarded
(Refer to HAR Section 3-149-302)

Single term contracts of 2 years or less will be awarded.

- The initial term of the contract will be up to a 12-month period beginning December 1, 2011 or upon Notice to Proceed, whichever is later.

F. RFP Contact Person

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider(s).

Ms. Helena Manzano, Planning Specialist
Phone: (808) 586-1164 Fax: (808) 586-1097
Email: Helena.Y.Manzano@hawaii.gov

III. Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

The State requests proposals to: a) create, improve, or enhance core services for adult female victims of domestic violence, dating violence, sexual assault, and stalking; and b) develop and implement effective coordinated community responses to domestic violence, dating violence, sexual assault, and stalking.

1. *Core services may include, but are not limited to the following:*

- ☐ Advocacy
- ☐ Case Management
- ☐ Counseling
- ☐ Crisis Response
- ☐ Increased accessibility by underserved and special populations, including disabled, immigrant, and victims with substance abuse or mental health issues
- ☐ Legal Assistance (Note: STOP funds may be used to provide civil justice assistance only in cases that bear directly and substantially on criminal justice matters. Legal assistance to victims attempting to obtain civil protection orders may be supported. STOP funds may not be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the 14 VAWA purpose areas.
- ☐ Shelter
- ☐ Transitional services

The State also seeks proposals from community-based organizations that meaningfully respond to the needs of underserved populations through linguistically and culturally specific services and activities. (Example: A non-profit, non-governmental organization whose primary focus is to meet the specialized needs of target populations by providing services that offer full linguistic access and resources and culturally specific services, including outreach, collaboration, and support mechanisms. This does not include mainstream organizations with a bi-cultural/ bi-lingual advocate on staff.)⁶

The applicant must demonstrate that it has the expertise in providing culturally relevant and linguistically accessible community-based outreach and intervention services; or have the capacity to link to existing services in the community tailored to the needs of culturally specific populations; and have an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

6 See footnote number 3.

2. *Coordinated Community Response*

The State seeks proposals that support a coordinated community response model as the foundation for both effective services for female victims of violent crimes as well as for holding offenders fully accountable. Fragmentation, redundancy, and victims “falling through the cracks” can result when people and systems do not coordinate their efforts.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

The applicant shall include resumes of all key personnel assigned to the contract and an organization chart. Resumes must show employment history, all relevant and related experience and education and degrees, including specific date, names of employees, and educational institutions. If the staff position is not yet filled, provide a position description.

2. Administrative

The applicant shall establish and implement policies and procedures that clearly identify the target population for each type of victim service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

The applicant must ensure quality assurance and ongoing evaluation of the project goals, objectives, and activities.

The Department shall monitor the project during the project period to evaluate the results of the program. During these monitoring visits the applicant must make available for review: project files, fiscal records, documentation for cost category expenditures, time sheets, data collection results, etc.

4. Output and performance/outcome measurements

The applicant must clearly describe outcome measures, benchmarks, and data collection methods relative to the proposed scope of services. The program objectives and outcome indicators should be appropriate and achievable with regard to the target client group, stated problem, and proposed services activities.

The applicant must provide baseline data from which measureable outcomes can be established. Outcome measures may be quantitative or qualitative. A *quantitative* indicator can be expressed as a single measure (number of victims served), or as a degree of change (increase/decrease in number of domestic violence cases); baseline data should be provided. *Qualitative* indicators can be used where quantitative measures are not feasible. It is not possible, for example, to assign a direct

quantitative measure to the extent to which neighborhoods have been made safer through crime watch programs. However, a *qualitative* (or indirect) measure can be used through the use of anecdotal information, surveys, direct observation, etc.

The applicant must develop measurements that will be used to determine the effectiveness of the project and whether the objectives have been met. Include the type of data to be collected and any analysis of the data that might occur (for example, if training is going to be an activity, how will you determine if the training made any difference?). Output and performance measurements must have a logical link to goals, objectives, and activities. The performance measurement information shall be used to evaluate the effectiveness of the program.

5. Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services. The applicant shall also provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services. The listing should include the contract number, dates of the contract period, and name and phone number for the point of contact. The Contracting Office reserves the right to check references.

If applying for culturally and linguistically specific services, the applicant must demonstrate that it has the expertise and personnel to deliver linguistically and culturally specific outreach and intervention services relevant for the target population or community to whom assistance would be provided; or have the capacity to link to existing services in the community tailored to the needs of culturally specific populations, and has an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

6. Coordination of services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

7. Reporting requirements for program and fiscal data

a. Required Program Reports

1. Six-month progress reports (due one month after the end of each reporting period) must provide a summary of goals, objectives, activities, accomplishments and challenges, including outcome data and analysis.
2. A final progress report is due at the end of the project.
3. A STOP Annual Report in the format required by the Office on Violence Against Women.

b. Required Fiscal Reports

1. The awarded agency must maintain accounting procedures and practices acceptable to the Department, including books, records, documents and other evidence, which sufficiently and properly reflect all direct and indirect expenditures and all interest or other income earned as the result of funds.
2. Any funds provided pursuant to a contract awarded under this RFP which are unencumbered on the date the project terminates shall be returned to the Department; all funds provided under the contract awarded pursuant to this RFP which are encumbered but not disbursed within sixty (60) days after the project terminates shall be returned to the Department.
3. The applicant must submit a *Request for Funds and Cash Balance Report (RFF)* by the 15th of each month.
4. The applicant must submit a *Project Expenditures & Obligations Report (PEO)* by the 15th day after the end of each calendar quarter. A final RFF and PEO report must be submitted 60 days after the contract period ends.
5. The source of funding for this grant is federal funds and the provision of Hawaii Revised Statutes, Sections 29-15 and 29-15.5 shall apply.

C. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet American Disability Act (ADA) requirements, as applicable, and any special equipment that may be required for the services.

IV. Compensation and Method of Payment

Cost Reimbursement

The cost reimbursement pricing structure reflects a purchase arrangement in which the purchasing agency pays the provider for budgeted agreed-upon costs that are actually incurred in delivering the services specified in the contract, up to a stated maximum obligation.

Requests for reimbursement on a monthly basis, by the 15th day of each month. Quarterly reports for project expenditures and obligations must be received by the Department fifteen (15) days after the end of each calendar quarter. The final request for reimbursement must be received by the Department by the 30th day after the contract end date.

V. Definitions Applicable to the VAWA Program

The Violence Against Women and Department of Justice Reauthorization Act of 2005 contains the following universal definitions that apply to the STOP Formula Grant Program.

- 1) **Community-Based Organization** – the term “community-based organization” means an organization that –
 - a. focuses primarily on domestic violence, dating violence, sexual assault, or stalking (*Example: A non-profit, non-governmental victim services organization that provides services to victims of violence against women through shelter, advocacy and safety planning.*);
 - b. has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault. (*Example: A non-profit, non-governmental victim services organization whose primary focus is to meet the specialized needs of linguistically and culturally specific population groups by providing services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms. This does not include mainstream organizations with a bi-cultural/bi-lingual advocate on staff*);
 - c. has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking (*Example: A non-profit, non-governmental victim services organization that primarily focuses on providing services to Filipina victims of violence against women*); or,
 - d. obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration (*Example: A faith-based organization that provides shelter services to homeless women and their families may apply for STOP Program funds to support a domestic violence advocate that collaborates with a County’s Victim Assistance Program to provide safety planning, advocacy, and support group services to victims of domestic violence.*)
- 2) **Dating Violence** – the term “dating violence” means violence committed by a person –
 - a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. where the existence of such relationship shall be determined based on a consideration of the following factors:
 1. The length of the relationship

2. The type of relationship
 3. The frequency of interaction between the persons involved in the relationship
- 3) **Domestic Violence** – the term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction receiving grant monies.
 - 4) **Linguistically and Culturally Specific Services** – the term “linguistically and culturally specific services” means community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities.
 - 5) **Personally Identifying Information or Personal Information** – the term “personally identifying information” or “personal information” means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including –
 - a. first and last name;
 - b. a home or other physical address;
 - c. contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
 - d. a social security number; and
 - e. any other information, including date of birth, racial or ethnic background or religious affiliation that in combination with any of subparagraphs (a) through (d), would serve to identify any individual.
 - 6) **Sexual Assault** – the term “sexual assault” means any conduct proscribed by chapter 109A of Title 181, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim.
 - 7) **Stalking** – the term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - a. fear for her or his safety or the safety of others; or
 - b. suffer substantial emotional distress

- 8) **Underserved Populations** – the term “underserved populations” includes populations underserved because of geographic location (such as rural isolation), underserved racial or ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alien status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.
- 9) **Victim Services or Victim Service Provider** – the term “victim services” or “victim services provider” means a non-profit, non-governmental organization that assists domestic violence, dating violence, sexual assault or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

Section 3

Proposal Application Instructions

General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant's organization and RFP identification information on the top right hand corner of each page should be retained. However, the instructions for each section may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. See sample Table of Contents in Section 5.*
- ***DO NOT*** put Proposals in a three ring binder.
- *Tabbing of sections (recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*
- *For required SPO and program-specific forms, see Proposal Application Checklist in Section 5.*
- *To download fillable forms, refer to Section 1, paragraph II, Website Reference.*

Proposal Applications should comprise of the following:

- *Proposal Application Identification Form (SPO-H-200)*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
 - Part I. Title Page*
 - Part II. Description of the Project*
- *Financial*
 - Budget Detail and Justification*
 - Pricing Structure*
 - Other Financial Related Materials*
- *Other*
 - Litigation*

I. Program Overview

The applicant shall give a brief overview to orient evaluators as to the program/services being offered. Include a brief description of the applicant's organization, the problem statement, the goals and objectives related to the service activities, and how the proposed services are designed to address the problem/need identified in the service specifications. If the applicant is applying for funding for culturally and linguistically specific services, then it must identify the target population.

II. Experience and Capability

A. Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services. The applicant shall also provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services. Include in the listing, the contract number, dates of the contract period, and name and phone number for the point of contact. The Contracting Office reserves the right to check references.

If the applicant is applying for funding for culturally and linguistically specific services, then it must demonstrate that it has the expertise in the development of community-based, linguistically and culturally specific outreach and intervention services relevant for the specific communities to whom assistance would be provided; and, that the applicant has an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

B. Quality Assurance and Evaluation

The applicant shall describe its quality assurance and evaluation plans for the proposed services, including methodology.

C. Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

D. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet

American Disabilities Act (ADA) requirements (as applicable) and special equipment that may be required for the services.

III. Project Organization and Staffing

A. Staffing

1. Proposed Staffing

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. The applicant shall include resumes of all key personnel assigned to proposed program. The applicant shall describe how staff was previously funded before submitting the application for this RFP.

2. Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for all staff assigned to the proposed program. Job descriptions and resumes of staff delivering services shall be included.

B. Project Organization

1. Supervision and Training

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

2. Organization Chart

The applicant shall reflect the position of each staff and line of responsibility and supervision. Include position title, name and full time equivalency. Both the “Organization-wide” and “Program” organization charts shall be attached to the proposal application.

IV. Service Delivery

Applicant shall include a detailed discussion of the applicant’s approach to applicable service activities and management requirements from Section 2, Item III. Scope of Work, including (if indicated) a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules. The Service Delivery section includes “Part I. Title Page” and “Part II. Description of the Project.” The applicant can download the fillable forms from the Department’s website at <http://hawaii.gov/ag/cpja/main/gp>.

PART I. TITLE PAGE

Instructions (See Section 1, Paragraph II for AG website to download fillable form)

- A. PROJECT TITLE. Enter a brief descriptive title. An application for second or subsequent year funding must retain the same title as the original application.
- B. APPLICANT AGENCY. Enter the official title of the state or county agency requesting the grant.
- C. CENTRAL CONTRACTOR REGISTRATION (CCR) AND DUNS. Enter the applicant agency's current CCR number and valid DUNS number.
- D. APPLICATION RANKING WITHIN AGENCY. If your agency is submitting more than one application, then the applications must be ranked by the head of the applicant agency. Rank each application from high to low with "1" being the highest priority.
- E. ADDRESS. Enter the mailing address of applicant agency.
- F. LOCATION OF PROJECT. If appropriate, identify the location(s) of the project.
- G. PROJECT PERIOD. Enter the expected starting and completion dates of the project. The project period should not be more than 12 months.
- H. AUTHORIZED PURPOSE AREA(S). Identify at least one of the VAWA purpose areas (see Section 2) to be addressed in the proposal. Check all boxes that apply.
- I. FUNDING PRIORITY AREA(S). Identify at least one of the funding priority areas (see Section 2) to be addressed in the proposal.
- J. TYPE OF APPLICATION. Indicate with an "X" whether this is a new or continuation project with the Department of the Attorney General.
- K. TOTAL FEDERAL PROJECT AMOUNT. Enter the total (100%) grant cost.
- L. APPLYING FOR OTHER FUNDING. Indicate whether an application has been or will be submitted to other funding sources. Provide the name of the source agency and the amount applying for.
- M. PROJECT DIRECTOR. Enter the name, address, title, telephone and fax numbers, and e-mail address of the person who will be directly responsible for administering the project.
- N. FINANCIAL OFFICER. Enter the name, address, title, telephone and fax numbers, and e-mail address of the person who will be responsible for the fiscal matters of the project. The Financial Officer should be someone other than the Project Director.

PART II. DESCRIPTION OF PROJECT

Instructions (See Section 1, Paragraph II for AG website to download fillable form)

This section is the most important part of the application because it not only describes what will be done and who will do it, but it also justifies the need for the project. The information requested must be addressed in detail. Please follow this order in describing the project.

A. Problem Statement:

The applicant must describe the nature and scope of the existing problem, including the present status of activities by the applicant or other law enforcement agencies regarding the problem. This section should clearly justify the reasons why the project is needed. Include data that define the size and scope of the problem. Explain how this problem was dealt with in the past and the limitations in that approach.

If this is a continuation project, include a brief statement discussing the current problems in light of previous years' accomplishments.

Target population: Identify the target population to be served, the number of individuals to be served and the geographic area(s) to be served. Include all available pertinent data (e.g., number of agency referrals, caseloads, hotline calls, etc.)

Approach to Project: This section should be limited to a precise statement of the specific project goals and objectives that will help to solve or overcome the problem(s) described above.

To be eligible for funding under the Violence Against Women Act, applicants must design their projects to fall within at least one of 14 VAWA Purpose Areas established by Congress (see Section 2.)

Applicants must identify the VAWA purpose area(s) and the funding priority area(s) of the proposed services.

Applicants must describe, in detail, the services they are proposing to develop and deliver. Provide a clear, detailed description of the proposed project goals and objectives, activities, broken down into phases or tasks. Include a timeline showing the amount of time necessary to complete each task. Applicants must include a description of any outreach materials, videos, training tools or manuals that may result from this project.

Applicants must clearly state the goals, objectives, and activities of the project service delivery plan. Goals, objectives, and activities must be logically linked to each other and to output and performance measurements.

B. Goals and Objectives

Goal: A goal is a broad statement about an undesirable condition that you would like to improve or a desired state of affairs toward which to strive. Project goals should be clearly stated and realistic. For example: to reduce the recidivism of substance-abusing parolees; to improve the prosecution of sex assault or domestic violence cases.

Objectives: Clearly state the objectives, which are specific, measurable outcomes of the project. The objective should state who or what will change, in which direction (increase or decrease), by how much, and by when. It is imperative that objectives be both achievable and measurable. For example: 30 percent of parolees who enter a substance abuse treatment program will successfully complete the program during the project period; to reduce sex assault case processing from receipt of case to prosecutor's charging decision from 10 months to 3 months.

C. Project Activities

State the methods that will be utilized to achieve the objectives. Include a timeline, activities, staffing (number and type), equipment (description and justification), clients to be served, client selection criteria, description of training or technical assistance required, project schedule, an outline of available resources, etc. Program activities must be developed within the confines of the project's resources.

D. Performance Measures

Applicants must evaluate attainment of the goals and objectives of the project in specific measurable terms. To effectively assess the results of the project, the Applicants should indicate: (1) the process in which the data will be collected (the type of information, method of recording, timeframe for collection); (2) specific correlation to the goals and objectives for measurement; and (3) the individual(s) responsible for the data collection and analysis.

Applicants must describe the expected outputs and outcomes relative to the proposed scope of services. Applicants must provide baseline data from which measurable outcomes can be established. For example, if one of the objectives is to increase the number of protection orders served during a calendar year by 30 percent (or 65), then the baseline provided would be 50.⁷

⁷ The baseline is the starting point from which gains are measured and targets are set.

Outputs refer to the internal activities of a program (i.e., the products and services delivered). For example, an output could be the number of adult female victims that received individual counseling; the number of protection orders requested and the number granted. The program must have baselines for output measures. While performance measures must distinguish between outcomes and outputs, there must be a reasonable connection between them, with outputs supporting (i.e., leading to) outcomes in a logical fashion.

Outcome measures are the most informative measures about performance because they are the ultimate results of a program that benefit the public. Programs must try to translate existing measures that focus on outputs into outcome measures by focusing on the ultimate goal of the program, as shown by these examples from the Executive Office of Management and Budget, Program Assessment Rating Tool Guidance No. 2008-01.

Outputs	Outcomes
Number of housing units rehabilitated.	Increases in equity (property value) of rehabilitated houses for low-income families as a result of targeted assistance.
Number of businesses assisted through loans and training.	Percent of businesses that remain viable 3 years after assistance.
Number of people served by water/sewer projects.	Increased percent of people with access to clean drinking water.
Number of acres of agricultural lands with conservation plans.	Percent improvement in soil quality; dollars saved in flood mitigation.

V. Financial

Budget Detail and Justification

The applicant can access the budget and justification forms on the State Procurement Office website (see Section 1, Paragraph II, Website Reference.) The applicant should address the Financial and Other Financial Related Information as outlined in the instructions below.

A. Pricing Structure

The Applicant shall submit a cost proposal utilizing the pricing structure designated by the state purchasing agency. The cost proposal and a narrative shall be attached to the Proposal Application. The narrative should be a separate page after the budget forms to provide a budget explanation. The cost of the budgeted items should be reasonable and the items necessary for the execution and completion of the activities listed in the service delivery section. The budget

narrative should reflect how the expenditures will support the project activities and be listed in the same order as the budget detail.

Pricing Structure Based on Cost Reimbursement

The cost reimbursement pricing structure reflects a purchase arrangement incurred in delivering the services specified in the contract, up to a stated maximum obligation. All budget forms, instructions, and samples are located on the SPO website. The following budget form(s) shall be submitted with the Proposal Application: SPO-H-205; SPO-H-205A; SPO-H-206A; SPO-H-206B; SPO-H-206C; SPO-H-206D; SPO-H-206E; SPO-H-206F; SPO-H-206G; SPO-H-206H; SPO-H-206I.

B. Other Financial Related Materials

1) Accounting System

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the proposal application: a copy of the organization's most recent (within the last two year period) financial audit. All funds awarded under this RFP must not be commingled with other funds and must be tracked separately.

2) Accounting Personnel

- a. Applicant must state which staff positions are responsible for maintaining accounting records and fiscal reporting and include a back-up plan for personnel that become ill, are on leave, etc. and who will have the responsibility for gathering and providing the quarterly reporting financial information.
- b. Applicant shall describe what accounting qualifications are required for each of the positions if not detailed in Section 3.

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which it is a party, including the disclosure of any outstanding judgment. If applicable, please explain.

Section 4

Proposal Evaluation

Section 4 Proposal Evaluation

I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal Application
- Phase 3 - Recommendation for Award

Evaluation Categories and Thresholds

Evaluation Categories

Possible Points

Administrative Requirements

Proposal Application 100 Points

Program Overview	0 points
Experience and Capability	20 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	10 Points

TOTAL POSSIBLE POINTS

100 Points

III. Evaluation Criteria

A. Phase 1 - Evaluation of Proposal Requirements

1. Administrative Requirements

- a. Application Checklist (see Attachment A)
- b. Certifications and Special Conditions signed by authorized authority (see Attachment C)
- c. Tax Clearance (Green Stamped)

2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Provide unique RFP Title for proposed victim services
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

B. Phase 2 - Evaluation of Proposal Application (100 Points)

Program Overview: No points are assigned to Program Overview. The intent is to give the applicant an opportunity to orient evaluators as to the service(s) being offered.

1. *Experience and Capability (20 Points)*

This section is weighted as a whole; no points are individually assigned. The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

- o Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services.
- o A listing of verifiable experience with projects or contracts for the most recent five years that is pertinent to the proposed services.
- o Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.
- o Demonstrated capability to coordinate services with other agencies and resources in the community.
- o Adequacy of facilities relative to the proposed services. Meets ADA requirements

2. **Project Organization and Staffing (15 Points)**

Sections a. and b. are weighted as a whole; no points individually assigned. The State will evaluate the applicant's overall staffing approach to the service that shall include:

a. **Staffing (9)**

- Proposed Staffing: Address the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.
- Staff Qualifications: Minimum qualifications (including experience) for staff assigned to the program.
- Agency Experience in providing victim services to the proposed target population.

b. **Project Organization (6)**

- Supervision and Training: Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- Organization Chart: Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks.

3. **Service Delivery (55 Points)**

Evaluation criteria are bulleted and weighted; sub-criteria are not assigned individual point values. This section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.

- Assessment and scope of the problem, including supportive data (10)
- Target population and number of individuals to be served (4)
- Geographical area to be served identified (2)
- Goals and objectives clearly stated (10)
- Description of project activities (14)
- Timeline of proposed activities (5)
- Project Evaluation: (10)
 - Process used to collect data (type of information, method of recording, timeframe for collection)
 - Outputs identified and baselines provided
 - Outcome Measures identified and linked to Goals and Objectives
 - Identified individual(s) responsible for the data collection and analysis

4. Financial (10 Points)

Pricing structure based on cost reimbursement

Personnel costs are reasonable and comparable to positions in the community. Non-personnel costs are reasonable and adequately justified. The budget fully supports the scope of service and requirements of the Request for Proposal. A narrative of the budget is included. Adequacy of accounting system.

C. Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Section 5

Attachments

- A. Proposal Application Checklist
- B. Sample Proposal Application Table of Contents
- C. Certifications

Certification of Non-Supplanting

Certification of Non-Discrimination

Certification of Non-Discrimination Complaint Procedures

Certification Regarding Drug-Free Workplace

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Certification Regarding Lobbying

Certification of Formulation and Availability of Equal Employment Opportunity Program

Certification Regarding Acceptance of VAWA Special Conditions

Attachment A

Proposal Application Checklist

Proposal Application Checklist

Applicant: _____ RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the purchasing agency as part of the Proposal Application. SPOH forms are on the SPO website. See Section 1, Paragraph II Website Reference.*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
General:				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	X	
Proposal Application Checklist	Section 1, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Section 5, RFP	X	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
VAWA STOP Fillable Forms	Section 1, RFP	AG/CJPA Website	X	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*	X	
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 5	X	
SPO-H-205B	Section 3, RFP	SPO Website* Special Instructions are in Section 5	X	
SPO-H-206A	Section 3, RFP	SPO Website*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*	X	
SPO-H-206D	Section 3, RFP	SPO Website*		
SPO-H-206E	Section 3, RFP	SPO Website*		
SPO-H-206F	Section 3, RFP	SPO Website*	X	
SPO-H-206G	Section 3, RFP	SPO Website*	X	
SPO-H-206H	Section 3, RFP	SPO Website*	X	
SPO-H-206I	Section 3, RFP	SPO Website*	X	
Certifications:				
Non-Supplanting	Section 5, RFP	Section 5, RFP	X	
Non-Discrimination	Section 5, RFP	Section 5, RFP	X	
Non-Discrimination Complaint Procedures	Section 5, RFP	Section 5, RFP	X	
Drug Free Workplace	Section 5, RFP	Section 5, RFP	X	
Debarment & Suspension	Section 5, RFP	Section 5, RFP	X	
Lobbying	Section 5, RFP	Section 5, RFP	X	
Acceptance of VAWA Special Conditions	Section 5, RFP	Section 5, RFP	X	
Equal Employment Opportunity Program	Section 5, RFP	Section 5, RFP	X	

Authorized Signature

Date

Attachment B

Sample Proposal Table of Content

SAMPLE

Proposal Application Table of Contents

I.	Program Overview.....	1
II.	Experience and Capability	1
	1) Necessary Skills	2
	2) Experience.....	4
	3) Quality Assurance and Evaluation	5
	4) Coordination of Services.....	6
	5) Facilities.....	6
III.	Project Organization and Staffing	7
	A. Staffing.....	7
	1. Proposed Staffing	7
	2. Staff Qualifications.....	7
	B. Project Organization.....	10
	1. Supervision and Training	10
	2. Organization Chart (Program & Organization-wide).....	10
IV.	Service Delivery	12
V.	Financial.....	20
VI.	Litigation.....	20
VII.	Attachments	
	A. Cost Proposal	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries and Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification – Contractual Services: Administrative	
	B. Other Financial Related Materials	
	Financial Audit for fiscal year ended June 30, 2010	
	C. Organization Chart	
	Program and Organization-wide	
	D. Performance and Output Measurement Tables	
	E. Program Specific Requirements	

Attachment C

Certifications

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-SUPPLANTING

I certify that federal funds will not be used to supplant State, local or other non-federal funds that would, in the absence of such federal aid, be made available for law enforcement, criminal justice, and victim compensation and assistance activities.

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION

I certify that the applicant agency will comply with and will insure compliance by its subgrantees and contractors with the non-discrimination requirements of:

- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP and COPS funded programs or activities. (42 U.S.C. §3789d and 28 C.F.R. §42.201 et seq.)
- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities. (42 U.S.C. §2000d and 28 C.F.R. §42.101 et seq.)
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs or activities. (29 U.S.C. §794 and 28 C.F.R. §42.501 et seq.)
- Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities. (42 U.S.C. §10604)
- Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP or COPS funded programs or activities. (42 U.S.C. §12132 and 28 C.F.R. Pt. 35)
- Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs. (20 U.S.C. §1681 and 28 C.F.R. Pt. 54)
- The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities. (42 U.S.C. §6102 and 28 C.F.R. §42.700 et seq.)
- Executive Order No. 13166 prohibiting discrimination of Limited English Proficient Persons.
- Executive Order No. 13279 regarding equal protection of the laws for faith-based organizations. (28 C.F.R. pt. 38)

No person shall, on the grounds of race, color, religion, national origin, sex, or disability, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity funded in whole or in part with funds made available under this title from the U.S. Department of Justice through the Department of the Attorney General, Crime Prevention and Justice Assistance Division. Noncompliance with the discrimination regulations may result in the suspension or termination of funding.

SUBMITTED BY:

Signature: _____ Date: _____
Name: _____ Title: _____
Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION COMPLAINT PROCEDURES

The U.S. Department of Justice, Office of Justice Programs (OJP), Office for Civil Rights (OCR) has jurisdiction to investigate complaints of discrimination against recipients of funding from OJP (which includes component agencies such as the Bureau of Justice Assistance, the Office for Victims of Crime, and the National Institute of Justice), Office on Violence Against Women, and the COPS Office. OCR has indicated that recipients and subrecipients of federal funding should have non-discrimination complaint procedures. Therefore,

I certify that the _____ (name of agency)
has non-discrimination complaint procedures which include:

- (1) a coordinator who is responsible for overseeing the complaint process. The agency's coordinator is:

_____	_____	_____
Name	Title	Phone

- (2) a procedure to ensure that beneficiaries or employees of funded subrecipients are aware that they may complain of discrimination directly to a subrecipient, to the Department of the Attorney General, or to the Office for Civil Rights.

- (3) a procedure to investigate the complaint. (The procedure may be an internal investigation or forwarding the complaint to the Department of the Attorney General, the OCR, or another appropriate external agency.)

- (4) a procedure to notify the Department of the Attorney General, Crime Prevention and Justice Assistance Division of the complaint. (The Department will forward the complaint information to OCR and may conduct an investigation of the complaint.)

- (5) a procedure to notify the Department of the Attorney General of the findings of the investigation.

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Agency or Designee)

Title: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

INSTRUCTIONS

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS
(AG/CPJAD #16)

1. By signing and/or submitting this application or grant agreement, the grantee, is providing the certification set out on the form entitled Crime Prevention and Justice Assistance Division, Department of the Attorney General, Certification Regarding Drug-Free Workplace Requirements (hereinafter referred to as the "AG/CPJAD Form #16).
2. The certification set out on AG/CPJAD Form #16 is a material representation of fact upon which reliance will be placed when the Department of the Attorney General, State of Hawaii (hereinafter referred to as "grantor") determines to subgrant federal funds to the grantee. Pursuant to the contract which grantor will offer grantee in the event a subgrant is awarded to grantee, false certification or violation of the conditions set forth in the certification shall be grounds for suspension of payments, or suspension or termination of the subgrant. Such false certification or violation of the conditions contained in the certification shall subject the State of Hawaii to governmentwide suspension or debarment, which shall, in turn, result in the withdrawal of funds from the grantee and/or the unavailability of future funding for the grantee.

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

- I. Department of the Attorney General, Criminal Justice Division (hereinafter referred to as "grantee") certifies that it will provide a drug-free workplace by:
- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) establishing a drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the grantee's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) the penalties that may be imposed upon employees for drug abuse violations;
 - (c) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) abide by the terms of the statement; and
 - (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction;
 - (e) notifying the Department of the Attorney General, State of Hawaii, within ten (10) days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction;
 - (f) taking one of the following actions with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and

including termination; or

- (2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

II. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with this specific grant:

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

County

County

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Name of Organization

Address of Organization

Instructions for Certification

- 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.**
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.**
- 3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.**
- 4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.**
- 5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.**
- 6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.**
- 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.**
- 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.**
- 9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.**



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Name of Organization

Address of Organization

Instructions for Certification

- 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.**
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.**
- 3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.**
- 4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.**
- 5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.**
- 6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.**
- 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.**
- 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.**
- 9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.**

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here ____ and complete and submit Standard Form # LLL, A Disclosure of Lobbying Activities, in accordance with its instructions.
- (3) Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the U.S. Department of Justice, Office of Justice Programs.
- (4) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

Name and Address of Organization

Name of Authorized Individual
Signature and date

Application No.

Name of OJP Agency

CERTIFICATION FORM

Recipient Name and Address: _____

Grant Title: _____ Grant Number: _____ Award Amount: _____

Contact Person Name and Title: _____ Phone Number: () _____

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement, must complete **Section B** below. **A recipient should complete either Section A or Section B, not both.** If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. *Please check all the boxes that apply.*

- | | |
|--|---|
| ☐ Recipient has less than 50 employees, | ☐ Recipient is an Indian tribe, |
| ☐ Recipient is a non-profit organization, | ☐ Recipient is an educational institution, or |
| ☐ Recipient is a medical institution, | ☐ Recipient is receiving an award less than \$25,000 |

I, _____ **[responsible official]**, certify that
_____ **[recipient]** is not required to
prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that _____
_____ **[recipient]** will comply with applicable Federal civil rights
laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title

Signature

Date

Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ **[responsible official]**, certify that
the _____ **[recipient]**, which has 50 or more
employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an
EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and
signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in
the office of: _____ **[organization]**,
at _____ **[address]**, for review by the public and
employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of
Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title

Signature

Date

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

ACCEPTANCE OF VAWA SPECIAL CONDITIONS
(For 103F Contracts)

The undersigned Provider understands and agrees, on behalf of its agency that:

1. PERFORMANCE REQUIREMENTS AND CONDITIONS.

- A. PROVIDER shall comply with the guidelines set forth in the Violence Against Women Act and all applicable federal regulations and guidelines, including but not limited to Office of Justice Programs, STOP Violence Against Women Formula and Discretionary Grants Program Guidance, and Office of Management and Budget circulars and the effective edition of the Office of Justice Programs' Guidance Manual entitled "Financial and Administrative Guide for Grants."
- B. If so required by STATE, PROVIDER shall certify to STATE that any expendable or nonexpendable personal property purchased or acquired with funds received under this Contract will be used for victim services purposes before title in such property may vest in PROVIDER. If a certification is not provided by PROVIDER, title to any personal property purchased or acquired with funds received under this Contract shall vest in STATE.
- C. Prior to, or concurrently with the execution of this Contract, if so required by STATE, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Drug-Free Workplace Requirements which meets the requirements of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D), hereinafter referred to as the "Drug-Free Workplace Certification". A copy of the Drug-Free Workplace Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Drug-Free Workplace Certification are true and that PROVIDER shall fulfill the requirements set forth therein. PROVIDER's execution and submission of a false Drug-Free Workplace Certification, or PROVIDER's violation of the requirements set forth therein shall entitle STATE to suspend one or more payments under this Contract, and/or terminate this Contract pursuant to the provisions of Section 4 of the General Conditions. PROVIDER warrants that it is aware that such false certification or violation of the requirements contained in the Drug-Free Workplace Certification shall subject the State of Hawaii to government-wide suspension or debarment, or other sanctions which, in turn, shall result in the withdrawal of funds from PROVIDER and/or the unavailability of future funding for PROVIDER.
- D. Prior to, or concurrently with the execution of this Contract, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, hereinafter referred to as the

"Debarment Certification." A copy of the Debarment Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Debarment Certification are true and that PROVIDER shall fulfill any and all terms and conditions set forth therein.

- E. Prior to, or concurrently with the execution of this Contract, if so required by STATE, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Lobbying, hereinafter referred to as the "Lobbying Certification", and any subsequent disclosure forms required under Section 1352, Title 31 U.S.C. A copy of the Lobbying Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Lobbying Certification are true and that PROVIDER shall fulfill any and all terms and conditions set forth therein.
- F. PROVIDER shall maintain accounting procedures and practices acceptable to STATE, and books, records, documents and other evidence which sufficiently and properly reflect all direct and indirect expenditures and all interest or other income earned as the result of funds provided pursuant to this Contract. PROVIDER shall ensure that its own books, records, and documents are available for inspection, reviews or audits at all reasonable times by STATE or the United States Department of Justice. In addition, PROVIDER shall prepare and submit reports in such form and at such times as STATE or the Violence Against Women Grants Office may require; at minimum, PROVIDER shall submit quarterly financial reports fifteen (15) calendar days after the end of each calendar quarter. Records and financial accounts shall be retained and accessible to STATE and the United States Department of Justice for at least three years after STATE's grant with the Violence Against Women Grants Office is closed.
- G. PROVIDER shall provide for an independent audit of its activities on a periodic basis in accordance with Office of Management and Budget Circular A-133.
- H. PROVIDER shall comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968 which prohibits discrimination in employment and in the delivery of services or benefits on the basis of race, color, national origin, religion, or sex; Title VI of the Civil Rights Act of 1964 which prohibits discrimination in the delivery of services or benefits on the basis of race, color, or national origin; Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 which prohibit discrimination in employment and in the delivery of services or benefits based on disability; Title IX of the Education Amendments of 1972 which prohibits discrimination on the basis of sex in training or educational programs; the Age Discrimination Act of 1975 which prohibits discrimination in the delivery of services or benefits on the basis of age; Department of Justice regulations on disability (nondiscrimination on the basis of disability in the state and local government services, public accommodations and commercial facilities, and accessibility standards), 28 C.F.R. Part 35; Exec. Order No. 13279, 28 C.F.R. Part

38 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13166 and U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons; the Hawaii State Fair Employment Practices Act, Chapter 378, Hawaii Revised Statutes; and all other applicable federal and state laws, rules and regulations.

- I. PROVIDER assures STATE that if it is required to formulate an Equal Employment Opportunity Program in accordance with 28 C.F.R. 42.301 et seq. it will submit a certification to STATE that a current program is on file.
 - J. Any funds provided to PROVIDER under this Contract which are unencumbered on the date this Contract terminates shall be returned to STATE; all funds provided under this Contract which are encumbered but not disbursed within sixty (60) days after this Contract terminates shall be returned to STATE.
 - K. The source of funding for this Contract is federal funds and the provisions of Hawaii Revised Statutes, Section 29-15 shall apply.
2. Paragraph 2.1.1 of the General Conditions is amended by adding at the end thereof the following:

PROVIDER shall submit a completed Privacy Certification for review and approval prior to the expenditure of funds for the collection of identifiable research/statistical data. All information, data, or other material provided by the PROVIDER or the STATE shall be kept confidential only to the extent permitted by law.
 3. Paragraph 2.2 of the General Conditions is amended to read in its entirety as follows:

COPYRIGHT AND PATENT.

The STATE shall have complete ownership of all material, both finished and unfinished, which is developed, prepared, assembled, or conceived by the PROVIDER pursuant to this Contract, and all such material shall be considered "works made for hire". No summary, report, map, chart, graph, table, study or other documents or discovery, invention, or development produced in whole or in part with funds made available under this Contract shall be the subject of an application for copyright or patent by or on behalf of PROVIDER, its officers, agents, or its employees, or its subcontractors without prior written authorization from STATE.
 4. Paragraph 3.2 of the General Conditions is amended by adding at the end thereof the following:

PROVIDER may provide some or all of the services required under this Contract by subcontract provided that PROVIDER secures the prior written consent of STATE. In the event PROVIDER enters into a subcontract with a private organization to perform any of the services of activities required under this Contract, PROVIDER agrees that the period of each subcontract shall not

exceed one year, and funds to the private organization will not be released unless and until the requirements set forth in applicable State law and implementing rules are complied with by the subcontractor. All subcontracts shall include provisions to ensure that PROVIDER is capable of satisfying the requirements of this Contract. All subcontracts shall be reduced to writing and shall include all provisions of this Contract required of PROVIDER.

5. Paragraph 4.1.1 of the General Conditions is amended to read in its entirety as follows:

In writing. Any modification, alteration, or change to this Contract other than to the "Scope of Services" (attached hereto as part of Attachment 1) or to the period during which this Contract is in effect in Attachment 2, including increases (subject to the availability of funds) or decreases in the amount of compensation, shall be reduced to a written supplemental agreement and executed by PROVIDER and the Attorney General or the

Attorney General's designee. Modifications, alterations or changes to provisions of the "Scope of Services" may be requested by PROVIDER, approved by the Administrator of the Crime Prevention and Justice Assistance Division on STATE's behalf, and made by substituting or inserting the revisions in Attachment 1. Modifications, alterations or changes to the period during which this Contract is in effect may be requested in writing by PROVIDER or STATE, up to forty-five (45) days before the Contract would otherwise terminate, and shall be effective as of the date approved by the Administrator or Designee of the Crime Prevention and Justice Assistance Division (if requested by PROVIDER) or PROVIDER (if requested by STATE) and made by attaching a party's written request with the other party's written approval thereon to this Contract.

6. DISPUTES.

Any dispute concerning a matter of fact arising under this Contract or any subcontract, which is not disposed of by mutual agreement within fifteen (15) calendar days, shall be decided by the Attorney General, or the Attorney General's duly designated representative, who shall reduce the decision to writing and mail or otherwise furnish a copy of the decision to PROVIDER. The decision of such person shall be final and conclusive. Pending final decision of such dispute, PROVIDER shall proceed diligently with the performance of this Contract in accordance with STATE's request.

7. ADDITIONAL CONDITIONS.

Additional conditions may be imposed against PROVIDER by reducing them to writing and designating them as exhibits to this Contract. Any such exhibit shall be attached hereto and thereby incorporated herein.

8. PROVIDER shall submit a progress report to CPJAD every six (6) months during the project period. The report is due within thirty (30) days following the end of each six

month period and at the end of the project. The initial report period starts on the project's start date. The appropriate report form will be provided to each project by CPJAD (AG/CPJAD #20). The report shall contain information describing progress, accomplishments, activities, changes and problems during the report period and any additional information specified by CPJAD.

9. PROVIDER shall submit the annual STOP report required by OVW to CPJAD by February 1 unless mandated earlier by CPJAD.
10. PROVIDER shall submit a *Request for Funds and Cash Balance Report* by the 15th of each month and a *Project Expenditure & Obligations Report* by the 15th of each calendar quarter. Final drawdown or request for funds shall be received by STATE no later than thirty (30) days after the Contract terminates. Final fiscal reports are due to STATE within sixty (60) days after Contract terminates or unless mandated earlier by STATE.
11. PROVIDER shall comply with the federal eligibility requirements established by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (<http://www.usdoj.gov/ovw/regulations.htm>) and the Office of Justice Programs Financial Guide (<http://www.ojp.usdoj.gov/FinGuide/>) in order to receive STOP Program funds (see page 2-2 of the RFP). In particular, PROVIDER shall comply with the non-disclosure of confidential or private information.
12. PROVIDER shall comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
13. PROVIDER shall promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by:

Mail: Office of the Inspector General
U.S. Department of Justice

Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

E-mail: oig.hotline@usdoj.gov
Hotline: (contact information in English and Spanish): (800) 869-4499, or
Hotline fax: (202) 616-9881.

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____