

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



## **Request for Proposals**

**RFP Number: AG-CPJAD-VAWA-2013-WF**

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

**Date Issued: July 7, 2014**

**Deadline: August 25, 2014**

**Note:** *It is the applicant's responsibility to check the public procurement notice website, the request for proposals website, or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The State shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments or other information regarding the RFP.*

July 7, 2014

**REQUEST FOR PROPOSALS (RFP)**

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

**RFP No. AG-CPJAD-VAWA-2013-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, Prosecution) 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. The probable funding amount is up to \$485,600 from the following fiscal year STOP grants:

FY 2012:	\$76,490
FY 2013:	\$409,110

*The total funding amount may be less, subject to the availability of funds. Of this amount, at least \$27,274 shall be set aside for culturally and linguistic-specific community-based service organizations.*

Applicants may request a maximum funding amount of \$200,000 per project. 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 November 1, 2014 or upon Notice to Proceed, whichever is later.

Proposals (one original and four copies) shall be mailed, postmarked by the United States Postal Service (USPS) no later than **August 25, 2014** 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 **August 25, 2014** at:

Department of the Attorney General  
Crime Prevention and Justice Assistance Division  
235 South Beretania Street, Suite 401  
Honolulu, Hawaii 96813  
Attention: Ms. Jocelyn de Guia  
RFP No. AG-CPJAD-VAWA-2013-WF

The Department will conduct an RFP orientation on July 15, 2014 from 1:30 p.m. to 3:00 p.m., HST at the following location:

Leiopapa A Kamehameha Building (State Office Tower)  
235 South Beretania Street, 15<sup>th</sup> floor Conference Room  
Honolulu, Hawaii 96813

If you are unable to attend in person, the RFP orientation will be also be available via GoToMeeting for live audio conferencing. *If you would like to attend via GoToMeeting, email the RFP Contact Person no later than 4:00 p.m. on July 14, 2014 to register.* Instructions on how to access the orientation via GoToMeeting will be sent once you register via email. No late registrations for GoToMeeting online conferencing will be accepted. If you plan to attend the orientation in person, you do not need to register beforehand.

All prospective applicants are strongly encouraged to attend the orientation. Written questions may be submitted prior to the orientation but no later than July 18, 2014. All written questions will receive written responses from the Department by July 28, 2014.

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

Ms. Jocelyn de Guia  
Criminal Justice Planning Specialist  
Department of the Attorney General  
235 South Beretania Street, Suite 401  
Honolulu, Hawaii 96813  
Phone: (808) 586-1054 or Fax: (808) 586-1097  
E-mail: [Jocelyn.A.deGuia@hawaii.gov](mailto:Jocelyn.A.deGuia@hawaii.gov)

## PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

**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 AUGUST 25, 2014 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

Jocelyn de Guia, Planning Specialist  
For inquiries:  
Phone: (808) 586-1054 Fax: (808) 586-1097  
E-mail: [Jocelyn.A.deGuia@hawaii.gov](mailto:Jocelyn.A.deGuia@hawaii.gov)

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL **4:30 P.M., Hawaii Standard Time (HST), August 25, 2014.** 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., August 25, 2014.

### Drop-off Sites

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* RFP.**

### 1.1 Procurement Timetable

**Note that the procurement timetable represents the State’s best estimated schedule. If an activity on this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days. 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)	July 7, 2014
Distribution of RFP	July 7 – August 25, 2014
RFP orientation session	July 15, 2014
Closing date for submission of written questions for written responses	July 18, 2014
State purchasing agency’s response to applicants’ written questions	July 15 – July 28, 2014
Discussions with applicant prior to proposal submittal deadline (optional)	July 7 – August 20, 2014
Proposal submittal deadline	August 25, 2014
Discussions with applicant after proposal submittal deadline (optional)	August 25 – 27, 2014
Final revised proposals (optional)	August 29, 2014
Proposal evaluation period	August 26 – September 10, 2014
Provider selection	September 10 – 26, 2014
Notice of statement of findings and decision	October 1 – 8, 2014
	November 1, 2014
Contract start date	Or upon Notice to Proceed



## 1.2 Website Reference

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

	<b>For</b>	<b>Click on “Doing Business with the State” tab or</b>
1	Procurement of Health and Human Services	<a href="http://hawaii.gov/spo/health-human-svcs/doing-business-with-the-state-to-provide-health-and-human-services">http://hawaii.gov/spo/health-human-svcs/doing-business-with-the-state-to-provide-health-and-human-services</a>
2	RFP website	<a href="http://hawaii.gov/spo/general/procurement-notice-for-solicitations">http://hawaii.gov/spo/general/procurement-notice-for-solicitations</a>
3	Hawaii Revised Statutes (HRS) and Hawaii Administrative Rules (HAR) for Purchases of Health and Human Services	<a href="http://hawaii.gov/spo/general/statutes-and-rules/procurement-statutes-and-administrative-rules">http://hawaii.gov/spo/general/statutes-and-rules/procurement-statutes-and-administrative-rules</a>
4	Forms	<a href="http://hawaii.gov/spo/statutes-and-rules/general/spo-forms">http://hawaii.gov/spo/statutes-and-rules/general/spo-forms</a>
5	Cost Principles	<a href="http://hawaii.gov/spo/health-human-svcs/cost-principles-for-procurement-of-health-and-human-services">http://hawaii.gov/spo/health-human-svcs/cost-principles-for-procurement-of-health-and-human-services</a>
6	Standard Contract -General Conditions, AG103F13	<a href="http://hawaii.gov/spo/general/gen-cond/general-conditions-for-contracts">http://hawaii.gov/spo/general/gen-cond/general-conditions-for-contracts</a>
7	Protest Forms/Procedures	<a href="http://hawaii.gov/spo/health-human-svcs/protestsreqforreconsideration/protests-requests-for-reconsideration-for-private-providers">http://hawaii.gov/spo/health-human-svcs/protestsreqforreconsideration/protests-requests-for-reconsideration-for-private-providers</a>

### 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>)

	<b>For</b>	<b>Go to</b>
8	VAWA STOP Fillable Forms (Attorney General website)	<a href="http://ag.hawaii.gov/cpja/gp">http://ag.hawaii.gov/cpja/gp</a>
9	Hawaii Compliance Express (HCE)	<a href="https://vendors.ehawaii.gov/hce/splash/welcome.html">https://vendors.ehawaii.gov/hce/splash/welcome.html</a>
10	Department of Taxation	<a href="http://hawaii.gov/tax/">http://hawaii.gov/tax/</a>
11	Wages and Labor Law Compliance, HRS §103-055	<a href="http://capitol.hawaii.gov/hrscurrent">http://capitol.hawaii.gov/hrscurrent</a>
12	Department of Commerce and Consumer Affairs, Business Registration	<a href="http://hawaii.gov/dcca">http://hawaii.gov/dcca</a> click “Business Registration”
13	Campaign Spending Commission	<a href="http://hawaii.gov/campaign">http://hawaii.gov/campaign</a>

## 1.3 Authority

This 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.

## **1.4 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.

## **1.5 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://ag.hawaii.gov/cpja/gp>

## **1.6 RFP Contact Person**

From the release date of this RFP until the selection of the successful provider(s), any inquiries and requests shall be directed to the sole point-of-contact identified below.

Ms. Jocelyn de Guia, Planning Specialist  
Phone: (808) 586-1054 Fax: (808) 586-1097  
Email: [Jocelyn.A.deGuia@hawaii.gov](mailto:Jocelyn.A.deGuia@hawaii.gov)

## 1.7 Orientation

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

**Date:** July 15, 2014      **Time:** 1:30 – 3:00 p.m.  
**Location:** Leiopapa A Kamehameha Building  
235 S. Beretania Street, 15<sup>th</sup> floor Conference Room  
Honolulu, Hawaii 96813

If you are unable to attend in person, the RFP orientation will be also be available via GoToMeeting for live audio conferencing. *If you would like to attend via GoToMeeting, email the RFP Contact Person no later than 4:00 p.m. on July 14, 2014 to register.* Instructions on how to access the orientation via GoToMeeting will be sent once you register via email. No late registrations for GoToMeeting online conferencing will be accepted. If you plan to attend the orientation in person, you do not need to register beforehand.

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 subsection 1.8, Submission of Questions.

## 1.8 Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in Section 1.6. Written questions should be received by the date and time specified in Section 1.1 Procurement Timetable. The purchasing agency will respond to written questions by way of an addendum to the RFP.

Deadline for submission of written questions:

**Date:** July 18, 2014      **Time:** 4:30 p.m. HST

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

**Date:** July 28, 2014

## 1.9 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 subsection 1.2, Website Reference. Refer to the Section 5, Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPOH-200).** Provides applicant proposal identification.
  2. **Proposal Application Checklist.** The checklist provides applicants specific program requirements, reference and location of required RFP proposal forms, and the order in which all proposal components should be collated 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 SPOH-200A).** Applicant shall submit comprehensive narratives that address all proposal requirements specified in Section 3, Proposal Application Instructions, including a cost proposal/budget, if required.
- B. Program Specific Requirements.** Program specific requirements are included in Sections 2 and 3, as applicable. Required Federal and/or State certifications are listed on the Proposal Application Checklist in Section 5.
- C. Multiple or Alternate Proposals.** Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2. 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. Hawaii Compliance Express (HCE).** All providers shall comply with all laws governing entities doing business in the State. Providers shall register with HCE for online compliance verification from the Hawaii State Department of Taxation (DOTAX), Internal Revenue Service (IRS) , Department of Labor and Industrial Relations (DLIR) , and Department of Commerce and Consumer Affairs (DCCA) . There is a nominal annual registration fee (currently \$12) for the service. The HCE's online "Certificate of Vendor Compliance" 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 **subsection 1.2, Website Reference**, for HCE's website address.
- **Tax Clearance.** Pursuant to HRS §103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers are required to have a tax clearance from DOTAX and the IRS. (See subsection 1.2, Website Reference for DOTAX and IRS website address.)
  - **Labor Law Compliance.** Pursuant to HRS §103-55, providers shall be in compliance with all applicable laws of the federal and state governments relating to workers' compensation, unemployment compensation, payment of wages, and safety. (See subsection 1.2, Website Reference for DLIR website address.)

- **DCCA Business Registration.** 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 shall be registered and in good standing with the DCCA, Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See subsection 1.2, Website Reference for DCCA website address.)
- E. Wages Law Compliance.** If applicable, by submitting a proposal, the applicant certifies that the applicant is in compliance with HRS §103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to HRS §103-55, at the Hawaii State Legislature website. (See subsection 1.2, Website Reference for DLIR website address.)
- F. Campaign Contributions by State and County Contractors.** HRS §11-355 prohibits campaign contributions from certain State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. Refer to HRS §11-355. (See subsection 1.2, Website Reference for Campaign Spending Commission website address.)
- G. 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 nondisclosure of designated proprietary data to be confidential 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.*

- H. 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, or as amended. 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, or as amended. Proposals shall be rejected when:
  1. Postmarked after the designated date; or
  2. Postmarked by the designated date but not received within 10 days from the submittal deadline; or
  3. 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.

## **1.10 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 with HAR §3-143-403.

## **1.11 Opening of Proposals**

Upon the state purchasing agency's receipt of a proposal 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.

## **1.12 Additional Materials and Documentation**

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

## **1.13 RFP Amendments**

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

## **1.14 Final Revised Proposals**

If requested, final revised proposals shall be submitted in the manner and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's final revised proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPOH-200).* After final revised proposals are received, final evaluations will be conducted for an award.

## **1.15 Cancellation of Request for Proposal**

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

## 1.16 Costs for Proposal Preparation

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

## 1.17 Provider Participation in Planning

Provider(s), awarded a contract resulting from this RFP,

are required

are not required

to participate in the purchasing agency's future development of a service delivery plan pursuant to HRS §103F-203.

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the 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 §§3-142-202 and 3-142-203.

## 1.18 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 §3-141-201)
- (2) Rejection for inadequate accounting system. (HAR §3-141-202)
- (3) Late proposals (HAR §3-143-603)
- (4) Inadequate response to request for proposals (HAR §3-143-609)
- (5) Proposal not responsive (HAR §3-143-610(a)(1))
- (6) Applicant not responsible (HAR §3-143-610(a)(2))

## 1.19 Notice of Award

A statement of findings and decision shall be provided to each responsive and responsible applicant 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 provider(s) awarded a contract prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

**1.20 Protests**

Pursuant to HRS §103F-501 and HAR Chapter 148, an applicant aggrieved by an award of a contract may file a protest. The Notice of Protest form, SPOH-801, and related forms are available on the SPO website. (See subsection 1.2, Website Reference for website address.) 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.

<b>Head of State Purchasing Agency</b>	<b>Procurement Officer</b>
Name: The Honorable David M. Louie	Name: Shaleigh Tice
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

**1.21 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.

**1.22 General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website. (See subsection 1.2, Website Reference for website address.) Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.



### **1.23 Cost Principles**

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 SPOH-201, which is available on the SPO website. (See subsection 1.2 Website Reference for website address.) 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

### 2.1 Introduction

#### A. Overview

The U.S. Department of Justice, Office on Violence Against Women (OVW) 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, 2005, and 2013. 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.

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.<sup>1</sup> The remaining 15 percent is distributed among service providers and/or criminal justice agencies at the discretion of the State.

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, and stalking.

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<sup>1</sup> See Section 2.6, Definitions Applicable to VAWA Program for the definitions for community-based organization and culturally and linguistically specific services.

## **B. Planning activities conducted in preparation for this RFP**

State VAWA Implementation Plan and Planning Committee. To be eligible for the STOP funds, States are required to develop 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 the 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.

The State Attorney General, VPC chair, convened a meeting on August 24, 2011 to review, discuss, and approve the Implementation Plan for FY 2012-2014. 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 its development; 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.

To view or download the Implementation Plan:

[http://ag.hawaii.gov/cpja/files/2013/01/VAWA-Implementation-Plan-FY-2012\\_2014.pdf](http://ag.hawaii.gov/cpja/files/2013/01/VAWA-Implementation-Plan-FY-2012_2014.pdf)

Request for Information (RFI). The Department issued an RFI on May 16, 2014 to seek input and comments from provider organizations regarding the RFP's service specifications. The RFI was open for written comments and feedback from the public until June 13, 2014.

## **C. Description of the service goals**

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

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 non-profit 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.

Funding Priority Areas. As outlined in the State VAWA Implementation Plan FY 2012-2014, applicants must identify at least one of the following funding priority areas:

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.

#### **D. 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.

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

## E. 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.

## F. Probable funding amounts, source, and period of availability

### Sources of Funding:

FY 2012 STOP Grant: \$76,490  
CFDA No. 16.588

FY 2013 STOP Grant: \$409,110  
CFDA No. 16.588

Funding from FY 2013 STOP grant combines the victim services allocation (\$272,740) and discretionary allocation (\$136,370). *At least 10% of the victim services allocation or \$27,274 must be set aside for culturally and linguistic-specific services.*<sup>2</sup>

**Total Funding Available:** \$485,600 - *The total funding amount may be less, subject to the availability of funds.*

**Maximum Funding Amount per Project:** \$200,000

**Agency 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 November 1, 2014 or upon Notice to Proceed, whichever is later.

The contract may be extended up to an additional 12-month period if the agency awarded has remaining grant funds, needs more time to complete project activities, and has maintained satisfactory program performance.

## G. Limitations on STOP Program Funding

*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

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<sup>2</sup> 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/linguistic-specific community-based service organization.



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.

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. However –

- 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 for which STOP Program funds may be used; and
- STOP funds may not support legal or defense services for perpetrators.

Prevention and Public Awareness Campaigns. STOP funds cannot be used to: 1) develop or teach curricula on domestic violence, sexual assault, dating violence, and/or stalking for primary or secondary schools; 2) conduct public awareness or community education campaigns or related activities.

Note: STOP funds may be used to support, inform, and outreach to victims about available resources.

Conference, Food and Beverage Costs. STOP funds cannot be used to purchase any food and/or beverages for any meeting, conference, training, or other event.

Consultants/Contracts. Compensation for individual services is to be reasonable and consistent with that paid for similar services in the marketplace. When the rate exceeds \$650 (excluding travel and subsistence costs) for an 8-hour day, a written prior approval is required from the Department.

Other unallowable uses of STOP funds include:

- Lobbying
- Fundraising
- Research projects
- Building renovations

*For additional information on the uses of STOP funds, refer to OVW's "Frequently Asked Questions:"* <http://www.ovw.usdoj.gov/docs/stop-formula-faq.pdf>

## **H. 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 OVW Financial Grants Management Guide in order to receive STOP funds. (<http://www.ovw.usdoj.gov/docs/ovw-fgmg.pdf>)

- 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 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.

## I. 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. System for Award Management (SAM) is required. All applicants applying for STOP funds must obtain and maintain a current registration in the System for Award Management (SAM) database. The SAM is the official U.S. Government system that consolidated the capabilities of CCR/FedReg, ORCA, and EPLS. There is no cost to registrants for registering on the SAM website <https://www.sam.gov>. Check to see if your agency is already registered with the SAM. The DUNS number provided in your application **must match** the number in the SAM.

*Note: Applicants must update or renew their SAM 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.

## **2.2 Contract Monitoring and Evaluation**

The criteria by which the performance of the contract will be monitored and evaluated are:

1. Performance/Outcome Measures
2. Output Measures
3. Quality of Care/Quality of Services
4. Financial Management
5. Administrative Requirements

## **2.3 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, Equal Treatment for Faith-based Organizations.
2. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Revised 9/11). Refer to SPO website in Section 1, paragraph II, Website Reference.
3. The general conditions that will be imposed contractually are on the SPO website.
4. 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.”
5. The applicant shall develop and maintain fiscal, statistical, and administrative records pertaining to services as specified by the Department.
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 a Certification Regarding Equal Employment Opportunity Program in accordance with 28 C.F.R. §§ 42.301 et seq.
11. The applicant shall complete and submit to the Department an Acceptance of Conditions.
12. The applicant shall complete and submit to the Department an Acceptance of VAWA Special Conditions.
13. The applicant shall complete and submit to the Department a Certificate of Non-Discrimination Complaint Procedures.
14. The applicant shall maintain insurance acceptable to the Department in full force and effect throughout the term of the contract. The policy or policies of insurance maintained by the applicant shall provide the following limit(s) and coverage:

<b>Coverage</b>	<b>Limits</b>
Commercial General Liability (occurrence form)	\$2,000,000 Combined single limit per occurrence for bodily injury and property damage.

Automobile, if applicable	Bodily injury \$1,000,000/person \$1,000,000/occurrence
Professional Liability, if applicable	\$1,000,000/claim \$2,000,000 annual aggregate

Each insurance policy required by the contract shall contain the following clause:

“The State of Hawaii, including all of its departments and attached agencies, their officers, employees and agents are named as additional insured, as respects the named insured’s activities on their behalf.”

**B. Secondary purchaser participation**

(Refer to HAR §3-143-608)

After-the-fact secondary purchases will be allowed.

Planned secondary purchases: None.

**C. Multiple or alternate proposals**

(Refer to HAR §3-143-605)

Allowed                       Unallowed

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 §3-143-206)

Single                       Multiple                       Single & Multiple

*Criteria for multiple awards:* Multiple awards may be awarded under this solicitation. The award decisions will be based on competition and the advantage to the State. The proposals will be reviewed in accordance with requirements in Section 2.4, Scope of Work. Additional factors may be considered such as: different geographic areas, target population, and types of services proposed, including services for underserved populations with language barriers, and 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 §3-149-302)

Single term (2 years or less)                       Multi-term (more than 2 years)

The initial term of the contract will be up to a 12-month period beginning November 1, 2014 or upon Notice to Proceed, whichever is later. The contract may be

extended up to an additional 12-month period if the agency awarded has remaining grant funds, needs more time to complete project activities, and has maintained satisfactory program performance.

## 2.4 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

### A. Service Activities

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/or 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.)<sup>3</sup>

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

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3 See footnote number 1.

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.

## **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 measurable 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 (e.g., if training is going to be an activity, how will it be determined 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 15<sup>th</sup> of each month.
4. The applicant must submit a *Project Expenditures & Obligations Report (PEO)* by the 15<sup>th</sup> day after the end of each calendar quarter. A final RFF and PEO report must be submitted 60 days after the contract period ends.

**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. As applicable, describe how the facilities meet American Disability Act (ADA) requirements and any special equipment that may be required for the services.

**2.5 COMPENSATION AND METHOD OF PAYMENT**

*Cost Reimbursement*

The cost reimbursement pricing structure reflects a purchase arrangement in which the Department pays the applicant 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 are on a monthly basis, submitted by the 15<sup>th</sup> 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 30<sup>th</sup> day after the contract end date.

**2.6 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. has a primary focus 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.*); or
  - 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*); or
  - 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. has 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**

# 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 organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however 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 of this RFP.*
- *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.*
- *This form (SPOH-200A) is available on the SPO website (see 1.2 Website Reference). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

### The Proposal Application is comprised of the following sections:

- *Proposal Application Identification Form (SPO-H-200)*
- *Proposal Application Checklist*
- *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*

### **3.1 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.

### **3.2 Experience and Capability**

#### **A. Necessary Skills**

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services.

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. Experience**

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.

#### **C. Quality Assurance and Evaluation**

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

#### **D. Coordination of Services**

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

#### **E. Facilities**

As applicable, 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 and special equipment that may be required for the services.

### **3.3 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. List the names and titles of personnel who will be implementing project activities, including staff responsible for managing the project, gathering data and maintaining records, and submitting all required programmatic and financial reports to the Department. Describe the roles and responsibilities. Include a back-up plan for staff that become ill, are on leave, etc. (Refer to the personnel requirements in the Service Specifications, as applicable.)

##### **2. Staff Qualifications**

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. Job descriptions and resumes of staff delivering services shall be included. (Refer to the qualification requirements in the Service Specifications, as applicable)

#### **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/supervision. (Include position title, name and full time equivalency) Both the “Organization-wide” and “Program” organization charts shall be attached to the Proposal Application.

### **3.4 Service Delivery**

Applicant shall include a detailed discussion of the applicant’s approach to applicable service activities and management requirements from Section 2, Item 4. 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://ag.hawaii.gov/cpja/gp>. Instructions are outlined below:

## **PART I. TITLE PAGE**

- 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 agency requesting the grant.
- C. SYSTEM FOR AWARD MANAGEMENT (SAM) AND DUNS. Indicate by checking the appropriate box whether or not the applicant agency has a current SAM; also enter the agency’s current 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%) project 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**

This section justifies the need for the project and describes what will be done and who will do it. The information requested must be addressed in detail. Please follow this order in describing the project.

### **A. Problem Statement**

This section should clearly justify why the project is needed. 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. 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 and geographic area(s).* Identify the target population and geographic area(s) to be served. Include all available pertinent data (e.g., number of individuals to be served, agency referrals, caseloads, hotline calls, etc.)

*Approach to Project:* 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.) The applicant must identify the VAWA purpose area(s) and the funding priority area(s) of the proposed services. The applicant must describe in detail the services they are proposing to develop and deliver.

### **B. Goals and Objectives**

The applicant must provide a clear and detailed description of the proposed project goals and objectives. The goals, objectives, and activities must be logically linked to each other and to output and performance measurements.

Goals: 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 occurrence of

stalking incidents on college campuses; to increase the safety and self-sufficiency of domestic violence victims.

*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: To decrease by 25 percent from the previous fiscal year the number of stalking incidents at all community colleges in the State; 100 percent of domestic violence victims who obtain temporary restraining orders will develop safety plans.

### **C. Project Activities**

Project activities must be developed within the confines of the project's resources. State the methods that will be utilized to achieve the objectives. Indicate staffing (number and type), clients to be served, client selection criteria, description of training or technical assistance required, and an outline of available resources, etc. Describe any outreach materials, videos, training tools or manuals that may result from this project. Activities should be broken down into phases or tasks. Include a timeline showing the amount of time necessary to complete each task.

### **D. Performance Indicators/Outcome Measures**

*Data Collection and Analysis.* The applicant must evaluate attainment of the goals and objectives of the project in specific measurable terms. To effectively assess the results of the project, the applicant 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.

*Outputs/Outcomes.* The applicant must describe the expected outputs and outcomes relative to the proposed scope of services. The applicant 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.<sup>4</sup>

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.

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

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.

<b>Outputs</b>	<b>Outcomes</b>
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.

### 3.5 Financial

#### Budget Details and Justification

##### 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.

*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. 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.

The following budget forms must be submitted with the Proposal Application: SPO-H-205; SPO-H-205A; SPO-H-205B.

The following budget forms are needed to evaluate the cost proposal; only the forms that are applicable to the proposed project should be submitted: 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.

All budget forms, instructions, and samples are located on the SPO website.  
(Refer to Section 1, Paragraph II, Website Reference.)

**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 including any management letters that accompanied that audit.

Note: All funds awarded under this RFP must not be commingled with other funds and must be tracked separately.

**3.6 Other**

**A. Litigation**

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

If there is no pending litigation or outstanding judgment, so state.

## **Section 4**

# **Proposal Evaluation**

# Section 4

## Proposal Evaluation

### 4.1 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.

### 4.2 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

<u>Evaluation Categories</u>	<u>Possible Points</u>
<i>Administrative Requirements</i>	
<i>Proposal Application</i>	
Program Overview	0 points
Experience and Capability	15 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	15 Points
<b>TOTAL POSSIBLE POINTS</b>	<b>100 Points</b>

### 4.3 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)

## **2. Proposal Application Requirements**

- Proposal Application Identification Form (Form SPO-H-200)
- Provide unique RFP Title for proposed project
- 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 (15 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:

#### **A. Necessary Skills**

- Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services.

#### **B. Experience**

- A listing of verifiable experience with projects or contracts for the most recent five years that is pertinent to the proposed services.

#### **C. Quality Assurance and Evaluation**

- Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.

#### **D. Coordination of Services**

- Demonstrated capability to coordinate services with other agencies and resources in the community.

E. Facilities

- Adequacy of facilities relative to the proposed services meets ADA requirements, as applicable.

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

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

A. Staffing (10)

- Proposed Staffing: That 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.

B. Project Organization (5)

- 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 (2)
- Geographic area to be served identified (2)
- Goals and objectives clearly stated (14)
- Description of project activities (14)
- Timeline of proposed activities (3)

- 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 (15 Points)**

##### ***Pricing structure based on cost reimbursement***

*Evaluation criteria are bulleted and weighted. Pricing structure should be based on cost reimbursement. This section will assess the project budget and adequacy of the applicant's accounting system outlined in the Proposal Application.*

- Cost of budget items are reasonable and justified (5)
- Budget items support scope of service (5)
- Adequacy of accounting system (5)

#### **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 Regarding Acceptance of Conditions*
  - *Certification Regarding Acceptance of VAWA Special Conditions*
  - *Certification of Non-Discrimination*
  - *Certification of Non-Discrimination Complaint Procedures*
  - *Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion*
  - *Certification Regarding Lobbying*
  - *Certification of Formulation and Availability of Equal Employment Opportunity Program*

# **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. Return this checklist to the purchasing agency as part of the Proposal Application. SPOH forms are on the SPO website.

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Applicant to place "X" for items included in Proposal
<b>General:</b>				
Proposal Application Identification Form (SPOH-200)	Section 1, RFP	SPO Website*	<b>X</b>	
Proposal Application Checklist	Section 1, RFP	Attachment A	<b>X</b>	
Table of Contents	Section 5, RFP	Section 5, RFP	<b>X</b>	
Proposal Application (SPOH-200A)	Section 3, RFP	SPO Website*	<b>X</b>	
VAWA STOP Fillable Forms	Section 1, RFP	AG/CPJA Website	<b>X</b>	
Hawaii Compliance Express Verification Certificate	Section 1, RFP	Hawaii Compliance Express SPO Website*		
Cost Proposal (Budget)			<b>X</b>	
SPO-H-205	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 5	<b>X</b>	
SPO-H-205B	Section 3, RFP,	SPO Website* Special Instructions are in Section 5	<b>X</b>	
SPO-H-206A	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206B	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206C	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206D	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206E	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206F	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206G	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206H	Section 3, RFP	SPO Website*	<b>As applicable</b>	
SPO-H-206I	Section 3, RFP	SPO Website*	<b>As applicable</b>	
<b>Certifications:</b>				
Non-Supplanting	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Acceptance of Conditions	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Acceptance of VAWA Special Conditions	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Non-Discrimination	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Non-Discrimination Complaint Procedures	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Debarment & Suspension	Section 5, RFP	AG/CPJA Website	<b>X</b>	
Lobbying	Section 5, RFP	AG/CPJA Website	<b>As applicable</b>	
Equal Employment Opportunity Program	Section 5, RFP	AG/CPJA Website	<b>X</b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\*Refer to subsection 1.2, Website Reference for website address.

# **Attachment B**

## **Sample Proposal Application Table of Contents**

# SAMPLE

Organization: \_\_\_\_\_  
RFP No.: \_\_\_\_\_

## Proposal Application Table of Contents

<b>I.</b>	<b>Program Overview</b> .....	1
<b>II.</b>	<b>Experience and Capability</b> .....	1
	1) Necessary Skills .....	2
	2) Experience.....	4
	3) Quality Assurance and Evaluation .....	5
	4) Coordination of Services.....	6
	5) Facilities .....	6
<b>III.</b>	<b>Project Organization and Staffing</b> .....	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
<b>IV.</b>	<b>Service Delivery</b> .....	12
<b>V.</b>	<b>Financial</b> .....	20
<b>VI.</b>	<b>Litigation</b> .....	20
<b>VII.</b>	<b>Attachments</b>	
	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, 2011	
	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

ACCEPTANCE OF CONDITIONS

The undersigned agrees, on behalf of the applicant agency, that:

1. This project, upon approval, shall constitute an official part of Hawaii's Violence Against Women Formula Grant Program established under Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Public Law No. 103-322.
2. Any grant awarded pursuant to this application shall be subject to and will be administered in conformity with:
  - (a) general conditions applicable to administration of grants under Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Public Law No. 103-322, as applicable;
  - (b) conditions applicable to the fiscal administration of grants under Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Public Law No. 103-322, as applicable;
  - (c) any special conditions contained in the grant award; and
  - (d) general and fiscal regulations of the Crime Prevention and Justice Assistance Division.
3. Any grant received as a result of this application may be terminated, or fund payment may be discontinued, by the Crime Prevention and Justice Assistance Division when it finds a substantial failure to comply with the foregoing provisions, the application obligations or for non-availability of funds.

SUBMITTED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

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 guidance issued by the Office on Violence Against Women, 28 C.F.R. Chapter 1, Part 70, Uniform Administrative Requirements for Grants and Agreements (Including Subawards) With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, Office of Justice Programs, STOP Violence Against Women Formula and Discretionary Grants Program Guidance, Office of Management and Budget circulars, and the effective editions of the Office of Justice Programs' financial manual entitled "Financial Guide" and the "OVW Financial Grants Management Guide."
- B. PROVIDER shall comply with all the ordinances, codes, rules and regulations of the Federal, State and local government which in any way affect its performance under this Contract.
- C. 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.
- D. 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 at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill all 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.
- E. 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 at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.

- F. Prior to, or concurrently with the execution of this Contract, PROVIDER shall complete, execute and submit to STATE a Certification of Non-Supplanting, hereinafter referred to as the "Non-Supplanting Certification." A copy of the Non-Supplanting Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Non-Supplanting Certification are true at the time this Contract is executed and will remain true throughout the entire term of the Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.
- G. 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 at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.
- 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; the Department of Justice regulations implementing the above-referenced statutes at 28 C.F.R. Part 42, subpts. C, D, G, and I, 28 C.F.R. Part 35, and 28 C.F.R. Part 54; 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. 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 to the STATE reports in such form and at such times as STATE or the Office on Violence Against Women may require. Records and financial accounts shall be retained by the PROVIDER and shall be accessible to STATE and the United States Department of Justice for at least three years after STATE's grant with the Office on Violence Against Women is closed.
- K. 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.
- L. PROVIDER shall submit a progress report to STATE 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 reporting period starts on the project's start date. The appropriate report form will be provided to each project by the STATE. (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 the STATE.
- M. PROVIDER shall submit the annual STOP report required by the Office on Violence Against Women to STATE by February 1 unless mandated earlier by STATE.
- N. 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. PROVIDER shall submit a certification to STATE within thirty (30) days after the date this Contract terminates. 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 and such personal property shall be delivered to the STATE in good working order upon expiration or sooner termination of this Contract.
- O. The source of funding for this Contract is federal funds and the provisions of Hawaii Revised Statutes, Section 29-15 shall apply.

2. AMENDMENTS TO GENERAL CONDITIONS FOR HEALTH AND HUMAN SERVICES CONTRACTS.

- A. 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.

- B. Paragraph 2.2 of the General Conditions is amended to read in its entirety as follows:

Ownership Rights, 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.

- C. 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 or 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.

- D. 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 or the Administrator’s designee 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 the Administrator's 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.

3. 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.

4. ADDITIONAL CONDITIONS.

Additional conditions may be imposed upon 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.

5. VAWA FEDERAL ELIGIBILITY REQUIREMENTS.

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 effective edition of the OVW Financial Grants Management Guide (<http://www.ovw.usdoj.gov/doc/ovw-fgmg.pdf>) in order to receive STOP Program funds. In particular, PROVIDER shall comply with the non-disclosure of confidential or private information.

6. EQUAL TREATMENT FOR FAITH BASED ORGANIZATIONS.

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](http://www.ojp.gov/about/ocr/equal_fbo.htm).



7. REPORTING POTENTIAL FRAUD, WASTE, AND ABUSE, AND SIMILAR MISCONDUCT.

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](mailto: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](http://www.usdoj.gov/oig).

8. FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the STATE encourages PROVIDER and sub-grantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

9. TRAINING(S)/CONFERENCE(S) COMPLIANCE

PROVIDER agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events.

PROVIDER understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Sub-grantees, available at <http://www.ovw.usdoj.gov/grantees.html>

10. DUPLICATE AWARD OF FEDERAL FUNDS

PROVIDER agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this STATE award, and those award funds have been, are

being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this STATE award, the PROVIDER will promptly notify, in writing, the assigned Planning Specialist for this STATE award, and, if so requested by STATE, seek a budget or project narrative modification to eliminate any inappropriate duplication of funding.

11. COMPUTER NETWORKING

PROVIDER agrees that – (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women 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 and 28 C.F.R. pt. 38 regarding equal protection of the laws for faith-based organizations.

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: \_\_\_\_\_ Title: \_\_\_\_\_  
(Head of Agency or Designee)



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

AG/CPJAD #22 Rev. 08/05

# CERTIFICATION FORM

## Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three.

Recipient's Name:		DUNS Number:
Address:		
Grant Title:	Grant Number:	Award Amount:
Name and Title of Contact Person:		
Telephone Number:	E-Mail Address:	

### Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply:

- Recipient has less than fifty employees.     Recipient is an Indian tribe.     Recipient is a medical institution.  
 Recipient is a nonprofit organization.     Recipient is an educational 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 fifty or more employees and is receiving a single award or subaward of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, \_\_\_\_\_ [responsible official],  
certify that \_\_\_\_\_ [recipient],  
which has fifty 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 pt. 42, subpt. E. I further certify that within the last  
twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable  
federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for  
Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

\_\_\_\_\_  
[organization],  
\_\_\_\_\_  
[address].

\_\_\_\_\_  
Print or Type Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### Section C—Declaration Stating that an EEOP Utilization Report Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$500,000 or more, then the recipient agency must send an EEOP Utilization Report to the OCR for review.

I, \_\_\_\_\_ [responsible official],  
certify that \_\_\_\_\_ [recipient],  
which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in  
accordance with 28 CFR pt. 42, subpt. E, and sent it for review on \_\_\_\_\_ [date] to the  
Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

\_\_\_\_\_  
Print or Type Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## INSTRUCTIONS

### Completing the Certification Form

#### Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). *See* 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

**Recipients should complete *either* Section A *or* Section B *or* Section C, not all three.**

#### Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

#### Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

#### Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

#### Submission Process

If a recipient receives multiple awards subject to the Safe Streets Act, the recipient should complete a Certification Form for each grant. Recipients should download the online Certification Form, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: [EEOPForms@usdoj.gov](mailto:EEOPForms@usdoj.gov). *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7<sup>th</sup> Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).