

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



Request for Proposals

RFP Number: AG-CPJAD-VAWA-2016-WF

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

Date Issued: January 24, 2018

Deadline: March 12, 2018

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.*

January 24, 2018

REQUEST FOR PROPOSALS (RFP)

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

RFP No. AG-CPJAD-VAWA-2016-WF

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, is requesting proposals from qualified non-profit, non-governmental agencies with IRS 501(c)(3) status, 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 available will be up to \$860,344 through the FY 2016 and FY 2017 STOP Grants. *The total funding amount may be less, subject to the availability of funds.* At least \$30,225 from each funding year must be awarded to a qualified agency providing culturally-specific services.

The initial term of the award will be up to a 24-month period beginning June 1, 2018 or upon Notice to Proceed. The second year of the contract is subject to the program's satisfactory performance and availability of funds. Applicants may request a maximum funding amount of \$300,000 per project for a 24-month contract period (i.e., \$150,000 per year). Multiple contracts may be awarded under this RFP. However, multiple proposals from one agency must be physically separate and ranked according to priority by the applicant.

Proposals (one original and four copies) shall be mailed, postmarked by the United States Postal Service (USPS) no later than **March 12, 2018** 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 **March 12, 2018** at:

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Attention: Mr. Kevin Hinote
RFP No. AG-CPJAD-VAWA-2016-WF

The Department will conduct an RFP orientation on February 5, 2018 from 10:00 a.m. to 12:00 p.m., HST at the following location:

Leiopapa A Kamehameha Building (State Office Tower)
235 South Beretania Street, 15th 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 January 31, 2018 to register.* Instructions on how to access the orientation via GoToMeeting will be sent once you register via email. No late registrations for GoToMeeting live audio 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 February 21, 2018. All written questions will receive written responses from the Department by February 28, 2018.

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

Mr. Kevin Hinote
Criminal Justice Planning Specialist
Department of the Attorney General
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Phone: (808) 586-1153 or Fax: (808) 586-1097
E-mail: kevin.r.hinote@hawaii.gov

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

NUMBER OF COPIES TO BE SUBMITTED:

One (1) original and four (4) copies of the proposal and exhibits/attachments
and
One (1) electronic copy of the proposal and exhibits/attachments
in Portable Document Format (PDF)
and
One (1) electronic copy of the proposal in Microsoft Word (.doc) format

The electronic copy of the proposal and exhibits/attachments in Portable Document Format (PDF) and the electronic copy of the proposal in Microsoft Word (.doc) format shall be transmitted on one or more compact disc(s). Each compact disc shall be labeled with the applicant's name, proposal title, RFP number, and the disc number (e.g., Disc 1 of 2, Disc 2 of 2). Electronic copies shall be capable of being read by a personal computer system running a Windows-based operating system. Further, the Microsoft Word (.doc) shall be capable of being read by Microsoft Word 2003. It is the applicant's responsibility to ensure that the electronic copies are capable of being read.

To be considered a complete proposal, the original, paper copies, and electronic copies of the proposal and exhibits/attachments shall be mailed or hand-delivered together.

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN March 12, 2018 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

Kevin Hinote
For inquiries:
Phone: (808) 586-1153 Fax: (808) 586-1097
E-mail: kevin.r.hinote@hawaii.gov

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL 4:30 P.M., Hawaii Standard Time (HST), March 12, 2018. 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., March 12, 2018.

Drop-off Sites

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

RFP Table of Contents

Section - 1 Administrative Overview

1.1	Procurement Timetable.....	1-1
1.2	Website Reference	1-2
1.3	Authority.....	1-2
1.4	RFP Organization	1-3
1.5	Contracting Office	1-3
1.6	RFP Contact Person.....	1-3
1.7	Orientation	1-4
1.8	Submission of Questions	1-4
1.9	Submission of Proposals.....	1-4
1.10	Discussions with Applicants.....	1-7
1.11	Opening of Proposals.....	1-7
1.12	Additional Materials and Documentation.....	1-7
1.13	RFP Amendments	1-7
1.14	Final Revised Proposals.....	1-7
1.15	Cancellation of Request for Proposals.....	1-8
1.16	Costs for Proposal Preparation	1-8
1.17	Provider Participation in Planning.....	1-8
1.18	Rejection of Proposals	1-8
1.19	Notice of Award	1-8
1.20	Protests.....	1-9
1.21	Availability of Funds	1-9
1.22	General and Special Conditions of the Contract.....	1-10
1.23	Cost Principles	1-10

Section 2 - Service Specifications

2.1.	Introduction	
	A. Overview	2-1
	B. Planning activities conducted in preparation for this RFP.....	2-2
	C. Description of the Service Goals	2-2
	D. Description of the Target Population to be Served.....	2-6
	E. Geographic Coverage of Service	2-8
	F. Probable Funding Amounts, Source, and Period of Availability.....	2-8
	G. Limitations on STOP Program Funding	2-9
	H. Federal Statutory Eligibility Requirements of VAWA 2013.....	2-12
	I. Federal Requirements and Grant Conditions.....	2-13
2.2.	Contract Monitoring and Evaluation	2-14
2.3.	General Requirements.....	2-14
	A. Specific Qualifications or Requirements	2-14
	B. Secondary Purchaser Participation	2-16
	C. Multiple or Alternate Proposals.....	2-17
	D. Single or Multiple Contracts to be Awarded	2-17

E.	Single or Multi-Term Contracts to be Awarded	2-17
2.4.	Scope of Work	2-17
A.	Service Activities	2-17
B.	Management Requirements	2-19
C.	Facilities	2-21
2.5.	Compensation and Method of Payment	2-21
2.6.	Definitions applicable to the VAWA Program	2-22

Section 3 - Proposal Application Instructions

	General Instructions for Completing Applications	3-1
3.1.	Program Overview	3-2
3.2.	Experience and Capability	3-2
A.	Necessary Skills	3-2
B.	Experience	3-2
C.	Quality Assurance and Evaluation	3-2
D.	Coordination of Services	3-3
E.	Facilities	3-3
3.3.	Project Organization and Staffing	3-3
A.	Staffing	3-3
B.	Project Organization	3-3
3.4.	Service Delivery	3-4
	Part I. Title Page	3-4
	Part II. Description of Project	3-5
3.5.	Financial	3-7
A.	Pricing Structure	3-7
B.	Other Financial Related Materials	3-8
3.6.	Other	3-8
A.	Litigation	3-8

Section 4 – Proposal Evaluation

4.1.	Introduction	4-1
4.2.	Evaluation Process	4-1
4.3.	Evaluation Criteria	4-1
A.	Phase 1 – Evaluation of Proposal Requirements	4-1
B.	Phase 2 – Evaluation of Proposal Application	4-2
C.	Phase 3 – Recommendation for Award	4-5

Section 5 – Attachments

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

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)	<u>January 24, 2018</u>
Distribution of RFP	<u>January 24 - March 12, 2018</u>
RFP orientation session	<u>February 5, 2018</u>
Closing date for submission of written questions for written responses	<u>February 21, 2018</u>
State purchasing agency's response to applicants' written questions	<u>February 5 - February 28, 2018</u>
Discussions with applicant prior to proposal submittal deadline (optional)	<u>January 24 – March 5, 2018</u>
Proposal submittal deadline	<u>March 12, 2018</u>
Discussions with applicant after proposal submittal deadline (optional)	<u>March 13-16, 2018</u>
Final revised proposals (optional)	<u>March 21, 2018</u>
Proposal evaluation period	<u>March 13 – April 4, 2018</u>
Provider selection	<u>April 11-20, 2018</u>
Notice of statement of findings and decision	<u>April 24-30, 2018</u>
Contract start date	<u>June 1, 2018</u> <u>Or upon Notice to Proceed</u>

1.2 Website Reference

Item	Website
1 Procurement of Health and Human Services	http://spo.hawaii.gov/for-vendors/vendor-guide/methods-of-procurement/health-human-services/competitive-purchase-of-services-procurement-method/cost-principles-table-hrs-chapter-103f-2/
2 RFP website	https://hands.ehawaii.gov/hands/welcome
3 Hawaii Revised Statutes (HRS) and Hawaii Administrative Rules (HAR) for Purchases of Health and Human Services	http://spo.hawaii.gov Click on the “References” tab.
4 General Conditions, AG-103F13	http://spo.hawaii.gov/wp-content/uploads/2013/12/ag008.pdf
5 Forms	http://spo.hawaii.gov Click on the “Forms” tab.
6 Cost Principles	http://spo.hawaii.gov Search: Keywords “Cost Principles”
7 Protest Forms/Procedures	http://spo.hawaii.gov/for-vendors/vendor-guide/protests-for-health-and-human-services/
8 Hawaii Compliance Express (HCE)	http://spo.hawaii.gov/hce/
9 Hawaii Revised Statutes	http://capitol.hawaii.gov/hrscurrent
10 Department of Taxation	http://tax.hawaii.gov
11 Department of Labor and Industrial Relations	http://labor.hawaii.gov
12 Department of Commerce and Consumer Affairs, Business Registration	http://cca.hawaii.gov/breg/
13 Campaign Spending Commission	http://ags.hawaii.gov/campaign/
14 Internal Revenue Service	http://www.irs.gov/
15 VAWA STOP Fillable Forms (Attorney General website)	http://ag.hawaii.gov/cpja/gp
(Please note: website addresses may change from time to time. If a State link is not active, try the State of Hawaii website at http://hawaii.gov)	

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 Point-of-Contact

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.

Mr. Kevin Hinote
Criminal Justice Planning Specialist
Phone: (808) 586-1153 Fax: (808) 586-1097
Email: kevin.r.hinote@hawaii.gov

1.7 Orientation

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

Date: February 5, 2018 **Time:** 10:00 a.m. – 12:00 p.m.
Location: Leiopapa A Kamehameha Building
235 S. Beretania Street, 15th 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 January 31, 2018 to register.* Instructions on how to access the orientation via GoToMeeting will be sent once you register via email. No late registrations for GoToMeeting live audio conferencing will be accepted. If you plan to attend the orientation in person, you do not need to register beforehand.

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 Section 1.8, Submission of Questions.

1.8 Submission of Questions

Applicants may submit questions to the RFP point-of-contact 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: February 21, 2018 **Time:** 4:30 p.m. HST

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

Date: February 28, 2018

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 Section 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 with the 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. Provider Compliance.** All providers shall comply with all laws governing entities doing business in the State.
- **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 the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). Refer to Section 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. Refer to Section 1.2, Website Reference for the Department of Labor and Industrial Relations (DLIR) website address.
 - **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 Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. Refer to Section 1.2, Website Reference for DCCA website address.

Providers may register with Hawaii Compliance Express (HCE) for online compliance verification from the DOTAX, IRS, DLIR, and 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 Section 1.2, Website Reference, for HCE's website address.

Providers not utilizing the HCE to demonstrate compliance shall provide paper certificates to the purchasing agency. All applications for applicable clearances are the responsibility of the providers. All certificates must be valid on the date it is received by the purchasing agency. The tax clearance certificate shall have an original green certified copy stamp and shall be valid for six months from the most recent approval stamp date on the certificate. The DLIR certificate is valid for six months from the date of issue. The DCCA certificate of good standing is valid for six months from date of issue.

- 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 Section 1.2, Website Reference for statutes and 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 Section 1.2, Website Reference for statutes and 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. Refer to Section 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.

Head of State Purchasing Agency	Procurement Officer
Name: The Honorable Douglas S. Chin	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. 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 as outlined on the SPO website. Refer to Section 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

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 system 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 service 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 courts, and 30 percent to non-profit, non-governmental victim service providers. A minimum of 10 percent from the victim services allocation must be set aside for culturally-specific services.¹ The remaining 15 percent is distributed among service providers and/or criminal justice agencies at the discretion of the state.

The VAWA Reauthorization Act of 2013 added the requirement for a sexual assault set aside, which mandates that 20 percent of funds granted shall be allocated for programs or projects in 2 or more allocations (victim services, courts, law enforcement, or prosecution) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship. The 20 percent is based on the total amount of funds granted to the state, and is not a separate allocation.²

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 **with IRS 501(c)(3) status**, that create, improve, or enhance core services for adult female victims of

-
- 1 See Section 2.6 - Definitions Applicable to VAWA Program for culturally-specific community-based organization and culturally-specific services definitions.
 - 2 See Section 2.6 - Definitions Applicable to VAWA Program for sexual assault set-aside definition.

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.

B. Planning activities conducted in preparation for this RFP

VAWA State Implementation Plan and VAWA State 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 is comprised of 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 Hawaii 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 April 7, 2017 to review, discuss, and approve the Implementation Plan for FY 2018 – FY 2021. 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, courts, and victim services categories; and describes how the success of grant-funded activities will be evaluated. The current VAWA State Implementation Plan can be found at: <https://ag.hawaii.gov/cpja/files/2017/05/HI-STOP-VAWA-Implementation-Plan-FY-2018-FY-2021.pdf>

C. Description of the service goals

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

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 twenty 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, stalking, and

dating violence, including the use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

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, dating violence, stalking, 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, dating violence, stalking, and domestic violence, as well as the appropriate treatment of victims;
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
5. Developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, stalking, 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, dating violence, stalking, and domestic violence;
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
7. 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 services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence;
8. 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;

9. 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 domestic violence, dating violence, stalking, or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters;
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
12. 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 the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
 - 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.
13. Providing funding to law enforcement agencies, 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 service 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 shall, on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of two years, provide a report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol. As such, states and territories are responsible for ensuring that each subgrantee receiving funds under this purpose area will receive the required annual training. States are also responsible for ensuring that subgrantees submit their two-year report to the Department of Justice. States and territories must notify and provide OVW with a list of subgrantee recipients awarded STOP funds under the Crystal Judson Domestic Violence Protocol Program.

- 14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
- 15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.
- 16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
- 17. Developing, enlarging or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.
- 18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.

19. Developing, enlarging, or strengthening programs and projects to provide services and responses to male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.
20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a state to be used for this purpose.

Funding Priority Areas. As outlined in the VAWA State Implementation Plan FY 2018 – FY 2021, 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 special populations or underserved including:
 - Immigrants and migrants with limited English proficiency
 - Victims in rural areas where access to services can be limited
 - LGBTQ population
 - Elderly population
 - Individuals with disabilities including victims with substance abuse and/or mental health issues
 - Youth – ages 11 and older;
 - Legal Assistance;
 - Legal Advocacy;
 - Shelter;
 - Transitional services; and
 - Prevention, outreach, and education (not to exceed 5 percent of the total STOP Formula grant)
2. Develop an effective coordinated community response for domestic violence, sexual assault, dating violence, and/or stalking.

D. Description of the target population to be served

STOP funded activities must be focused on 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 11 or older who are: 1) victims of

dating violence, or 2) sexually assaulted by a person who is not a family or household member. Services may be provided to male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity; or who are victims of sexual assault in a detention setting.

Male victims who do not fall under VAWA Statutory Purpose Areas number 17 and/or number 19 but request services may be eligible as long as the agency's primary focus is on at least one of the other VAWA Statutory Purpose Areas. Under the anti-discrimination provision of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d, programs may not exclude any person from receiving grant-funded services on a number of prohibited grounds, including that person's sex.

The Department will give priority by awarding extra points in the scoring of proposals to qualified entities providing culturally specific services as defined by OVW. An organization is eligible to receive extra points for providing culturally-specific services if the organization serves a specific geographic community that:

- i. focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
- ii. has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
- iii. has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or
- iv. obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration;

AND:

- v. is primarily directed toward racial and ethnic minority groups (i.e. American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics); and
- vi. is providing services tailored to the unique needs of that population.

An organization will qualify for extra points if its primary mission is to address the needs of racial and ethnic minority groups or if it has developed a special expertise regarding a particular racial and ethnic minority group. The organization must do more than merely provide services to the targeted group; rather, the organization must provide culturally competent services designed to meet the specific needs of the target population.

To ensure compliance with the 20 percent set aside requirement for projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship, the Department will ensure that at least one project providing quality services to victims of sexual assault is selected. More than one project providing sexual assault victim services may be awarded depending on the scoring and ranking of all proposals and the availability of funds.³

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.

The Department will give priority by awarding extra points in the scoring of proposals to qualified entities serving geographically isolated rural areas as defined by OVW.⁴ The following geographical areas qualify as rural: County of Kauai, County of Hawaii, Molokai, Lanai, and the following census tracts of Maui – census tracts 301 (East Maui), 320 (Maalaea, Olowalu, and Laniopoko), 302.01 (Pauwela), and 303.01 (Kula).

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

Source of Funding: FY 2016 and FY 2017 STOP Grants CFDA No. 16.588
Funding available under this RFP combines the victim services allocation and a portion of the discretionary allocation from FY 2016 and FY 2017 STOP Grants. *At least 10 percent of the victim services allocation or \$30,225 from each funding year must be set aside for culturally-specific services.⁵*

Total Funding Available: \$860,344

Maximum Funding Amount per Project: \$300,000 (\$150,000 per year)

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

Availability Period: **24-month contract period** from June 1, 2018 or upon Notice to Proceed.

The second year of the contract is subject to the program's satisfactory performance and availability of funds.

3 See Section 2.6 - Definitions Applicable to VAWA Program for sexual assault set-aside definition.

4 See Section 2.6 - Definitions Applicable to VAWA Program for rural definition.

5 This is a mandatory provision under VAWA 2013. The Department also has the discretion to award more than the 10 percent minimum set aside for culturally-specific community-based services.

G. Limitations on STOP program funding

1. Activities That May Compromise Victim Safety. Ensuring victim safety is the guiding principle underlying the STOP Grant Program. Certain activities have been found to decrease victim safety, deter or prevent physical and emotional healing for victims or allow offenders to escape responsibility for their actions. Accordingly, consistent with the goals of ensuring victim safety while holding perpetrators accountable for their criminal conduct, applicants are strongly discouraged from proposing projects that include any activities that may compromise victim safety such as the following:
 - procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, relationship to the perpetrator, or the age and/or gender of their children;
 - procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services;
 - offering perpetrators the option of entering pre-trial diversion programs or placing batterers in anger management programs;
 - requiring mediation or counseling for couples as a systemic response to domestic violence or sexual assault, or in situations in which child sexual abuse is alleged;
 - 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; or
 - supporting policies or engaging in practices that impose restrictive conditions to be met by the victim in order to receive services (e.g., attending counseling, seeking an order of protection)

2. Legal Services. Under VAWA Statutory Purpose Area number 5, states can now provide a full range of legal services, such as housing, family law, public benefits, and other similar matters. Any subgrantee providing legal assistance must certify that:
 - a. any person providing legal assistance with STOP funds
 - i. has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or
 - ii. is partnered with an entity or person that has such demonstrated expertise and has completed or will complete training in connection with domestic

violence, dating violence, stalking, sexual assault, and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;

- b. any training program conducted in satisfaction of the requirement listed above in paragraph (A) has been or will be developed with input from and in collaboration with a tribal, state, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials;
 - c. any person or organization providing legal assistance through the STOP program has informed and will continue to inform state, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and
 - d. the subgrantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.
3. *Prevention and Public Awareness Campaigns.* In VAWA 2013, Congress added a new purpose area for “developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking[.]” However, no more than 5 percent of the total project costs can be used for this purpose. In addition, a proposal that falls within this purpose area would not fall under the victim services allocation and would need to be funded using STOP discretionary funds.

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

4. *Food and Beverage Costs.* STOP funds cannot be used to purchase any food and/or beverages for any meeting, conference, training, or other event.
5. *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.
6. *Administrative/Indirect Costs.* Administrative costs are the general or centralized expenses necessary for the overall administration of an organization. Administrative costs do not include particular project costs. For organizations that have an established federally approved indirect cost rate for Federal awards, indirect costs mean those costs that are included in the organization's indirect cost

rate. Such costs are generally identified with the organization's overall operation and are further described in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR Part 200.

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect.

For the purposes of this RFP, applicants may be permitted an allocation in their budget for indirect costs under one of the following:

- a. If the applicant has a current, federally approved indirect cost rate agreement, the applicant may include an allocation for indirect costs. Applicants must provide a copy of their federally approved indirect cost rate agreement.
- b. If the applicant does not have a federally approved indirect cost rate, the applicant may include a 10% de minimis rate – §2 CFR 200.414(f) provides for this type of rate, see description below.

“Any non-Federal entity that has never received a negotiated indirect cost rate, (except for those non-Federal entities described in Appendix VII to Part 200 — States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph (d)(1)(B)) may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in §200.403, Factors Affecting Allowability of Costs, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.”

According to §200.68, MTDC is composed of the following: MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards and subcontracts up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward and subcontract in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Note: If a 10% de minimis rate is to be used by the applicant, a breakdown of the applicant's MTDC must be submitted with the proposed budget.

7. Other unallowable uses of STOP funds include:

- Lobbying (except with explicit statutory authorization)
- Research projects
- Fundraising
- Purchase of real property
- Construction
- Physical modifications to buildings, including minor renovations (such as painting or carpeting)

For additional information on the uses of STOP funds, refer to OVW's "Frequently Asked Questions" (October 2017):

<https://www.justice.gov/ovw/grantees#Resources>

H. Federal statutory eligibility requirements of VAWA 2013

The Department and its grantees must meet certain federal eligibility criteria established by the Violence Against Women Reauthorization Act of 2013 and the DOJ Grants Financial Guide in order to receive STOP funds.

<http://wikiurls.com/?https://ojp.gov/funding/Explore/SolicitationRequirements/MandatoryTermsConditions.htm>

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

pay or seek reimbursement for the exam from their insurance carriers. The state, unit of local government, or another governmental entity will not require victims of sexual assault to participate in the criminal justice system or cooperate 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. **501(c)(3) non-profit status is required.** A non-profit organization must be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code.

Note: Applicants must provide a copy of the Agency's 501(c)(3) IRS determination letter at the time the application is submitted to the Department of the Attorney General.

2. *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.

3. *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.

4. *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 by CPJAD to grant recipients.
5. *Violence Against Women Act Non-Discrimination Provision.* The Violence Against Women Reauthorization Act of 2013 expanded its civil rights provision that applies to all OVW grants. These additions to the provision prohibit OVW grantees and subgrantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. Additional information on the civil rights obligations of OVW funding recipients can be found at <https://www.justice.gov/sites/default/files/ovw/legacy/2014/06/20/faqs-ngc-vawa.pdf>.
6. *Audit Requirement.* All applicants awarded STOP funds shall provide for an independent audit of its activities on a periodic basis in accordance with Part 200 Uniform Requirements.

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 **that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code.** Faith-based organizations are also eligible to apply. ALL applicants shall comply with provisions set forth in 28 CFR 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. Refer to SPO website in Section 1, paragraph II, Website Reference.
3. The general conditions for Chapter 103F Health and Human Services contracts 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 the financial and administrative requirements set forth in 2 CFR Part 200 and the current edition of the Department of Justice Grants Financial Guide.
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 complete and submit to the Department a Certification of Non-Discrimination, hereinafter referred to as the “Non-Discrimination Certification.” 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., the Nondiscrimination Grant Condition in the Violence Against Women Reauthorization Act of 2013 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 complete and submit to the Department a Certificate Regarding Legal Assistance if it is providing legal assistance with funds awarded under this program.
- 15. 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:

Coverage	Limits
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: 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. **At least one proposal that demonstrates it is meaningfully providing quality sexual assault services will be selected. Additional factors may be considered such as: different geographic rural areas, target population, and types of services proposed, including culturally-specific services for underserved populations.**

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 term of the contract will be up to a 24-month period beginning from June 1, 2018 or upon Notice to Proceed. The second year of the contract is subject to the program's satisfactory performance and availability of funds.

2.4 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities

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

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

- Advocacy;
- Case Management;
- Counseling;

- Crisis Response;
- Increased accessibility by underserved and special populations, including:
 - Immigrants and migrants with limited English proficiency
 - Victims in rural areas where access to services can be limited
 - LGBTQ population
 - Elderly population
 - Individuals with disabilities including victims with substance abuse and/or mental health issues
 - Youth – ages 11 and older;
- Legal Assistance;
- Legal Advocacy;
- Shelter;
- Transitional services;
- Prevention, outreach, and education (not to exceed 5 percent of the total STOP Formula grant)

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

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

The Department also seeks proposals from qualified applicants serving geographically isolated rural areas in the County of Kauai, County of Hawaii, Molokai, Lanai, and the following census tracts of Maui County – census tracts 301 (East Maui), 320 (Maalaea, Olowalu, and Laniopoko), 302.01 (Pauwela), and 303.01 (Kula). The applicant must demonstrate that it has the capacity to provide specific outreach and intervention services relevant for the specific communities and geographic areas it is targeting.⁷

The Department also seeks proposals from qualified applicants meaningfully providing quality sexual assault services. The applicant must demonstrate that it has

6 See Section 2.6 - Definitions Applicable to VAWA Program for culturally-specific community-based organization and culturally-specific services definitions.

7 See Section 2.6 - Definitions Applicable to VAWA Program for rural definition.

the expertise and capacity to provide quality services specific to this target population.⁸

2. Coordinated Community Response

The Department 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 employers, 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.

⁸ See Section 2.6 - Definitions Applicable to VAWA Program for sexual assault set-aside definition.

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 the applicant proposes to provide culturally-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.

If the applicant proposes to provide victim services in one of the rural areas defined in the solicitation, the applicant must demonstrate that it has the expertise, personnel, and capacity to provide required services in the service area for which it is applying.

If the applicant proposes to provide service to victims of sexual assault, then it must demonstrate that it has the expertise and capacity to provide quality services specific to this target population.

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 July 15th and January 15th) must provide a summary of goals, objectives, activities, accomplishments and challenges, including outcome data and analysis.
2. A final progress report is due thirty days after the project end date.
3. A STOP Annual Report in the format required by the Office on Violence Against Women is due February 1st.

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; any 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 awarded agency's *Request for Funds and Cash Balance Report (RFF)* report must be received by the 15th day of each month.
4. The awarded agency's *Project Expenditures and Obligations Report (PEO)* must be received by the 15th day after the end of each calendar quarter
5. A final RFF and PEO report must be received by the Department within sixty 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 awarded agency 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 submitted on a monthly basis and must be received by the 15th day of each month by the Department. Project expenditures and obligations reports are submitted on a quarterly basis and must be received by the 15th day of the month following the end of each calendar quarter by the Department. The final request for reimbursement must be received by the 30th day after the contract end date by the Department.

2.6 Definitions Applicable to the VAWA Program

The VAWA Reauthorization Act of 2013 contains the following universal definitions that apply to the STOP Formula Grant Program.

1. ***Culturally-Specific Community-Based Organization*** – the term “culturally-specific community-based organization” means an organization that –
 - a. focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
 - b. has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
 - c. has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or
 - d. obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration;

AND:

- e. is primarily directed toward racial and ethnic minority groups (i.e. American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics); and
- f. is providing services tailored to the unique needs of that population.

An organization will qualify as a culturally-specific community-based organization if its primary mission is to address the needs of racial and ethnic minority groups or if it has developed a special expertise regarding a particular racial and ethnic minority group. The organization must do more than merely provide services to the targeted group; rather, the organization must provide culturally competent services designed to meet the specific needs of the target population.

In reviewing applications, the Department will look not only at the numbers of victims that will be served, but also at how the services will be provided, whether the community to be served has been involved in planning for the delivery of the services, and whether there will be outreach to that community regarding the availability of the services. For example, if an applicant proposes to provide services to Mexican immigrant victims, the Department would consider such things as: line items in the budget for certified interpreters; a demonstration that the applicant has knowledge of and collaborative relationships with other organizations relevant to the community; established outreach activities to the community; and on-going staff training on Mexican culture. A community-based organization that accepts funding to provide services to a particular racial and ethnic population cannot exclude others from participating in its programs and activities based on race, color, religion, national origin, sex, gender identity, sexual orientation, disability, or age.

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. ***Culturally-Specific Services*** – the term “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 “racial and ethnic minorities” as defined in section 1707(g) of the Public Health Service Act, which means “American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics.
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. **Rural** – the term “rural” as defined by OVW is: (a) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget; or (b) any area or community, respectively, that is (i) within an area designated as a metropolitan statistical area or considered part of a metropolitan statistical area; and (ii) located in a rural census tract. OVW considers a census tract to be rural if at least 50 percent of the population in the census tract is residing in a rural area. Using the OVW definition of rural, the Department has determined that the rural areas in Hawaii are: County of Kauai, County of Hawaii, Molokai, Lanai, and the following census tracts of Maui County – census tracts 301 (East Maui), 320 (Maalaea, Olowalu, and Lanipoko), 302.01 (Pauwela), and 303.01 (Kula).
7. **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.
8. **Sexual Assault Set-Aside** – the term “sexual assault set-aside” refers to a new requirement of OVW on STOP funds which mandates that 20 percent of funds granted shall be allocated for programs or projects in 2 or more allocations (victim services, courts, law enforcement, or prosecution) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship. The 20 percent is based on the total amount of funds granted to the state, and is not a separate allocation. To ensure compliance with the 20 percent set aside requirement for projects that meaningfully address sexual assault, the Department will ensure that at least one project providing quality services to victims of sexual assault is selected. The Department will select a sexual assault victim service provider that is dedicated to addressing sexual assault, rather than an organization that is focused on domestic violence and has added sexual assault without having a substantive understanding of the issue.

9. ***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

10. ***Underserved Populations*** – the term “underserved populations” include 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.

11. ***Victim Services*** – the term “victim services” is defined in VAWA as services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information, and referrals, culturally specific services, population specific services, and other related supportive services. To be eligible for funding, victim service providers must be a non-profit, non-governmental victim services agency that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code.

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 to provide culturally specific services, services to victims in an OVW-defined rural area, and/or victims of sexual assault, then it must clearly state this and identify its 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 to provide culturally 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.

If the applicant is applying for funding to provide victim services in an OVW-defined rural area, then it must demonstrate that it has the capacity to provide specific outreach and intervention services relevant for the specific communities and geographic areas it is targeting.

If the applicant is applying for funding to provide sexual assault victim services, then it must demonstrate that it has the expertise and capacity to provide quality services specific to this target population.

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 Americans with 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 2.4 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 most recent 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 24 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 PROPOSED SERVICES. Indicate with an “X” whether the proposed services are Culturally Specific, Dating Violence related, Domestic Violence related,

Rural, Sexual Assault related, or Stalking related. See Section 2.6 - Definitions Applicable to VAWA Program for definitions for these terms. Check all boxes that apply.

- K. TYPE OF APPLICATION. Indicate with an “X” whether this is a new or continuation project with the Department of the Attorney General.
- L. TOTAL FEDERAL PROJECT AMOUNT. Enter the total (100%) project cost.
- M. 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.
- N. 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.
- O. 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 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 20 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 Molokai; to increase the safety and self-sufficiency of Native Hawaiian 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 on Molokai; 100 percent of Native Hawaiian 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 50.⁹

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 Native Hawaiian victims that received individual counseling; the number of protection orders requested and the number granted. The program must have baselines for output measures. While performance measures must distinguish between outcomes and outputs, there must be a reasonable connection between them, with outputs supporting (i.e., leading to) outcomes in a logical fashion.

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

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

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 for the entire 24-month project period should be separated into two separate annual budgets, one for June 1, 2018 through May 31, 2019 and another for June 1, 2019 through May 31, 2020.

The following budget forms must be submitted with the Proposal Application: SPO-H-205 (*submit one for each annual budget*); SPO-H-205A; SPO-H-205B.

⁹ The baseline is the starting point from which gains are measured and targets are set.

The following budget forms are needed to evaluate the cost proposal; only the forms that are applicable to the proposed project should be submitted (*submit one for each annual budget*): 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.

The cost of the budgeted items should be reasonable and consistent with the items necessary for the execution and completion of the activities listed in the service delivery section. The budget narrative should be a separate page after the budget forms. It should show how the expenditures will support the project activities and be listed in the same order as the budget detail.

All budget forms, instructions, and samples are located on the SPO website. (Refer to Section 1.2, Website Reference.)

Pricing Structure Based on Cost Reimbursement.

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

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 applicant 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

Evaluation Categories

Possible Points

Administrative Requirements

Proposal Application

112 Points

Program Overview	0 points
Experience and Capability	15 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	15 points
Culturally Specific Services	6 points
Rural Services	6 points

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 (112 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)

Sections A. through D. are weighted as a whole; no points are assigned to bulleted items. The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

- A. Necessary Skills (5)
 - Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services.
- B. Experience (4)
 - 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 (3)
 - Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.
- D. Coordination of Services (2)
 - Demonstrated capability to coordinate services with other agencies and resources in the community.

E. Facilities (1)

- 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 identified (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)

5. Culturally Specific Services (6 Points)

An organization is eligible to receive points for providing culturally-specific services if its primary mission is to address the needs of racial and ethnic minority groups or if it has developed a special expertise regarding a particular racial and ethnic minority group. The organization must do more than merely provide services to the targeted group; rather, the organization must provide culturally competent services designed to meet the specific needs of the target population, and have an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community. Applicants must provide details regarding the culturally-specific services it proposes and demonstrate its capacity and expertise in providing culturally-specific services throughout the application to receive points for this section. Applicants who do not demonstrate that they meet all of the requirements listed to be considered a culturally-specific community-based organization will not receive any points for this section. See Section 2.6 - Definitions Applicable to VAWA Program for culturally-specific community-based organization and culturally-specific services definitions.

6. Rural Services (6 Points)

An organization is eligible to receive points for providing services to OVW-defined rural areas if it can demonstrate that it has the capacity to provide

specific outreach and intervention services relevant for the specific communities and geographic areas it is targeting. See Section 2.6 - Definitions Applicable to VAWA Program for the definition of rural and the geographic areas defined using OVW criteria. Applicants must include detailed information regarding how it plans to provide the services in the targeted rural area(s) throughout the application to receive points for this section.

Note: Sexual Assault Victim Service Agencies: No additional points are assigned to applicants who are providing services to victims of sexual assault. However, to ensure compliance with the federal 20 percent set-aside requirement for projects that meaningfully address sexual assault, the Department will ensure that at least one project providing quality services to victims of sexual assault is selected. The sexual assault victim service provider applicant with the highest score among all sexual assault service provider applicants will be selected. More than one project providing sexual assault victim services can be awarded depending on the scoring and ranking of all proposals and the availability of funds. See Section 2.6 - Definitions Applicable to VAWA Program for the definition of sexual assault set-aside.

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 of Formulation and Availability of Equal Employment Opportunity Program*
 - *Certification Regarding Lobbying*
 - *Sample Certification Letter Regarding Delivery of Legal Assistance*
 - *Certification of 10% De Minimis Indirect Cost Rate*

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
General:				
Proposal Application Identification Form (SPOH-200)	Section 1, RFP	SPO Website*	X	
Proposal Application Checklist	Section 1, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Section 5, RFP	X	
Proposal Application (SPOH-200A)	Section 3, RFP	SPO Website*	X	
STOP VAWA Fillable Forms	Section 1, RFP	AG/CJPA Website	X	
Hawaii Compliance Express Certificate of Vendor Compliance	Section 1, RFP	Hawaii Compliance Express SPO Website*		
501(c)(3) Non-Profit Status	Section 2, RFP	Internal Revenue Service	X	
Cost Proposal (Budget):				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 3.5	X	
SPO-H-205B	Section 3, RFP	SPO Website* Special Instructions are in Section 3.5	X	
SPO-H-206A	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206B	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206C	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206D	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206E	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206F	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206G	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206H	Section 3, RFP	SPO Website*	As applicable	
SPO-H-206I	Section 3, RFP	SPO Website*	As applicable	

Continued on next page

Proposal Application Checklist, continued.

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.

Certifications:				
Non-Supplanting	Section 5, RFP	AG/CPJA Website	X	
Acceptance of Conditions	Section 5, RFP	AG/CPJA Website	X	
Acceptance of VAWA Special Conditions	Section 5, RFP	AG/CPJA Website	X	
Non-Discrimination	Section 5, RFP	AG/CPJA Website	X	
Non-Discrimination Complaint Procedures	Section 5, RFP	AG/CPJA Website	X	
Debarment & Suspension	Section 5, RFP	AG/CPJA Website	X	
Equal Employment Opportunity Program	Section 5, RFP	AG/CPJA Website	X	
Lobbying	Section 5, RFP	AG/CPJA Website	As applicable	
Certification Letter Regarding Delivery of Legal Assistance	Section 5, RFP	AG/CPJA Website	As applicable	
Certificate of 10% De Minimis Indirect Cost Rate	Section 5, RFP	AG/CPJA Website	As applicable	

 Authorized Signature Date

*Refer to Section 1.2, Website Reference for website address.

Attachment B

Sample Proposal Application Table of Contents

SAMPLE

Organization: _____

RFP No: _____

Proposal Application Table of Contents

1.0	Program Overview	1
2.0	Experience and Capability	1
	A. Necessary Skills	2
	B. Experience.....	4
	C. Quality Assurance and Evaluation.....	5
	D. Coordination of Services.....	6
	E. Facilities	6
3.0	Project Organization and Staffing	7
	A. Staffing.....	7
	1. Proposed Staffing	7
	2. Staff Qualifications	9
	B. Project Organization	10
	1. Supervision and Training	10
	2. Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)	
4.0	Service Delivery	12
5.0	Financial	20
	See Attachments for Cost Proposal	
6.0	Litigation	20
7.0	Attachments	
	A. Cost Proposal	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206D Budget Justification - Travel: Out of State	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
	SPO-H-206F Budget Justification - Contractual Services – Subcontracts	
	SPO-H-206H Budget Justification - Program Activities	
	SPO-H-206I Budget Justification - Equipment Purchases	
	B. Other Financial Related Materials	
	Financial Audit	

- C. Organization Chart
Program
Organization-wide
- D. Program Staff Resumes
- 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 Department of Justice (DOJ) Grants Financial Guide.
- B. PROVIDER shall comply with the financial and administrative requirements set forth in 2 C.F.R. Part 200 and the current edition of the DOJ Grants Financial Guide.

PROVIDER understands and agrees that CPJAD may withhold award funds, or may impose other related requirements, if PROVIDER does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of CPJAD awards.

- C. 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.
- 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 other neighborhood 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. Grantee shall submit a Semi-Annual Progress Report to the CPJAD every six (6) months following the calendar year. The progress reports are to cover activities that the Grantee has completed during that reporting period. The semi-annual reporting periods and due dates are:
 - January 1 through June 30 Due July 15
 - July 1 through December 31 Due January 15
- M. A Final Progress report is due 30 days after the project end date and should report cumulatively on the entire project period. The appropriate report form will be provided to each project by CPJAD (AG/CPJAD #20). The report shall contain information describing progress, accomplishments, activities, changes, and problems during the report period and any additional information specified by the CPJAD.
- N. 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.
- O. 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.
- P. 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. To the extent that any material, summary, report, map, chart, graph, table, study, or other documents, or discovery, invention, or development under this Contract is not recognized as a “work made for hire” as a matter of law, PROVIDER hereby assigns to the STATE any and all copyrights in and to the material.

- 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 2013 (<http://www.usdoj.gov/ovw/regulations.htm>) and the effective edition of the DOJ Grants Financial Guide in order to receive STOP Program funds.

6. 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
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

7. 41 U.S.C. 4712 (INCLUDING PROHIBITIONS ON REPRISAL; NOTICE TO EMPLOYEES).

PROVIDER must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a

substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

PROVIDER also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

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. Information on pertinent laws, regulations, policies, and guidance is available at <http://www.ovw.usdoj.gov/grantees.html>

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 Criminal Justice 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. Further, the PROVIDER agrees and understands that any duplicative funding that cannot be re-programmed to support non-duplicative activities within the program's statutory scope will be deobligated from this award and returned to CPJAD.

11. CIVIL RIGHTS PROVISION.

PROVIDER shall comply with civil rights provisions prohibiting the excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW.

12. NON-DISCLOSURE OF CONFIDENTIAL OR PRIVATE INFORMATION.

PROVIDER shall comply with provisions of 42 U.S.C. 13925(b)(2), non-disclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as

policies and procedures for release of victim information. PROVIDER shall also ensure that any subgrantees meet these requirements.

13. 501(c)(3) STATUS FOR VICTIM SERVICE PROVIDERS.

PROVIDER assures STATE that its organization is an organization as described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code.

14. RESTRICTIONS AND CERTIFICATIONS REGARDING NON-DISCLOSURE AGREEMENTS AND RELATED MATTERS.

PROVIDER understands and agrees that no Grantee or subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

15. PROHIBITED CONDUCT RELATED TO TRAFFICKING IN PERSONS.

PROVIDER, and any subgrantee at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of PROVIDER, subgrantees, or individuals defined (for purposes of this condition) as “employees” of the PROVIDER or of any subgrantee.

The details of the PROVIDER’s obligations related to prohibited conduct related to trafficking in persons are posted on the OVW web site at <https://www.justice.gov/ovw/grantees> (Award condition: Prohibited conduct by grantees and subgrantees related to trafficking in persons (including reporting requirements and OVW authority to terminate award)), and are incorporated by reference here.

16. GENERAL APPROPRIATIONS-LAW RESTRICTIONS.

PROVIDER, and any subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various “general provisions” in the Consolidated Appropriations Act, 2016, are set out at <https://www.justice.gov/ovw/grantees> and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a PROVIDER or subgrantee would or might fall within the scope of an appropriations-law restriction, the grantee is to contact CPJAD for guidance, and may not proceed without the express prior written approval of CPJAD.

17. DOJ REGULATIONS PERTAINING TO CIVIL RIGHTS AND NONDISCRIMINATION - 28 C.F.R. PART 38.

PROVIDER, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to PROVIDER and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to PROVIDERS and subgrantees that are faith-based or religious organizations.

The text of the regulation, now entitled “Partnerships with Faith-Based and Other Neighborhood Organizations,” is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR “current” data.

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.
- The Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, 127 Stat. 54 § 3(b)(2013) which prohibits excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part with funds made available through VAWA or the Office on Violence Against Women. (42 U.S.C. § 13925(b)(13))

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 of 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," "proposes," 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 Transaction," 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 reports 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 voluntary 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.

EEOP 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. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name:	
Address:	
Is agency a; <input type="checkbox"/> Direct or <input type="checkbox"/> Sub recipient of OJP, OVW or COPS funding?	Law Enforcement Agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
DUNS Number:	Vendor Number (only if direct recipient)
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.

- | | | |
|---|--|--|
| <input type="checkbox"/> Less than fifty employees. | <input type="checkbox"/> Indian Tribe | <input type="checkbox"/> Medical Institution. |
| <input type="checkbox"/> Nonprofit Organization | <input type="checkbox"/> Educational Institution | <input type="checkbox"/> Receiving a single award(s) 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. *If recipient sub-grants a single award over \$500,000, in addition, please complete Section D*

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 Short Form 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 Short Form 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.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title *Signature* *Date*

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

SAMPLE LETTER
Certification Letter Regarding Delivery of Legal Assistance

[Applicant Letterhead]
[Date]

The Honorable Douglas S. Chin
Attorney General
Hawaii State Department of the Attorney General
425 Queen Street
Honolulu, Hawaii 96813

Dear Mr. Chin:

This letter serves to certify that **[Applicant]** is in compliance with the following statutory requirements:

(1) Any person providing legal assistance through a program funded under the VAWA STOP Program

(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault or stalking in the targeted population; or

(B) (i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.

(2) Any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a state, local, territorial, or tribal domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, State, territorial, and local law enforcement officials.

(3) Any person or organization providing legal assistance through a program funded under this Program has informed and will continue to inform state, local, or tribal domestic violence, dating violence or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work.

(4) The grantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

Sincerely,
[Applicant's Authorizing Official]

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF 10% DE MINIMIS INDIRECT COST RATE

Any Grantee that proposes to use federal grant funds to pay for indirect costs but has never received a federally negotiated indirect cost rate may elect to charge a de minimis rate of 10% of its modified total direct costs (MTDC) which may be used indefinitely. (2 CFR § 200.414) In order to charge a de minimis rate of 10% of its MTDC, the Grantee must submit this certification form to the Department of the Attorney General.

I certify that the _____ (name of Grantee) meets the following eligibility criteria to use the 10% de minimis indirect cost rate:

1. The Grantee has never received a Federally-negotiated indirect cost rate for any federal awards.
2. The Grantee has received less than \$35 million in direct federal funding for the fiscal year requested.

In addition, the undersigned certifies on behalf of the Grantee that:

1. The de minimis rate of 10% will be applied to the Modified Total Direct Costs (MTDC) which means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award).
2. The MTDC will exclude equipment, capital expenditures, rental costs, and the portion of each subaward in excess of \$25,000. Other items will only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.
3. The project costs will be consistently charged as either indirect or direct and will not be double charged or inconsistently charged as both.
4. The documentation to support the methodology (as set forth in 2 CFR Part 200.403) used to determine the MTDC (as set forth in 2 CFR Part 200.68) will be provided as part of the Grantee's budget.
5. The proper use and application of the de minimis rate is the responsibility of _____ (name of Grantee). The Department of the Attorney General may perform an audit to ensure compliance with 2 CFR Part 200. If it is determined that the Grantee is inconsistently charging costs, or is not in compliance with 2 CFR Part 200, the Grantee may be required to return grant funds.

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Grantee Agency or Designee)

Title: _____