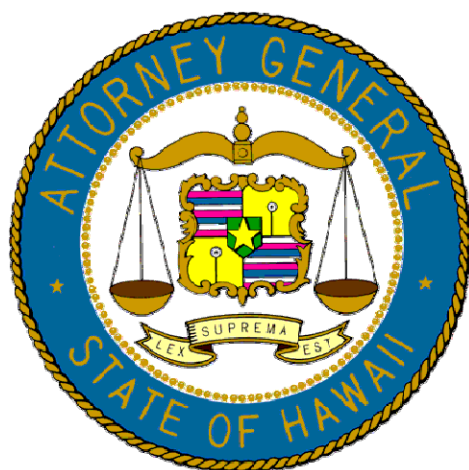


GRANT MANUAL

FY 2020 CORONAVIRUS EMERGENCY
SUPPLEMENTAL FUNDING (CESF) PROGRAM



Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Telephone: 586-1150
www.ag.hawaii.gov/cpja/gp

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Grant Manual
FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program

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FOREWORD

This manual is for recipients of the FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The Hawaii Department of the Attorney General is the State Administering Agency (SAA) for the grant.

The purpose of this manual is to provide:

- information on the policies and procedures for projects funded with CESF Program funds, and
- information on the fiscal, program, and reporting responsibilities of the Grantee.

The Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has published program policy and administrative guidance for implementation of the formula grant program. This manual incorporates BJA guidance and describes state procedures and requirements for administering the funds.

Units of state and local governments (Grantees) are advised to study the complete manual.

Since not all pertinent information can be furnished in a manual such as this, Grantee should consult their assigned specialist at the Crime Prevention and Justice Assistance Division for answers to questions not specifically or adequately covered by this manual.

SECTION I. BACKGROUND INFORMATION

A. STATUTORY AUTHORITY

The statutory authority for the guidance of the program is the Coronavirus Aid, Relief, and Economic Security Act or the CARES Act, P.L. 116-136, Div.B; 42 U.S.C. 530C.

B. PURPOSE OF CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDS

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act, or the CARES Act, a \$2 trillion stimulus package to: stabilize the national economy; provide immediate resources to most Americans; extend unemployment insurance; provide relief for industries particularly impacted by social distancing; provide blanket support to states and local governments; and, provide additional funding for grant programs and federally-funded services intended to help communities respond to the pandemic.

The CARES Act provided \$850 million for the Coronavirus Emergency Supplemental Funding (CESF) program through the U.S. Department of Justice (DOJ) Byrne Justice Assistance Grant (Byrne JAG) program formula to states and localities “to prevent, prepare for, and respond to coronavirus, domestically and internationally...” in state and local justice systems. The Hawaii Department of the Attorney General is the state administering agency for the state allocated Byrne JAG, and therefore, is the state administering agency for the state allocated FY 2020 CESF funds.

The CESF funds may be used for, but are not limited to, “overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.”¹

¹ U.S. Department of Justice, Bureau of Justice Assistance, Coronavirus Emergency Supplemental Funding Program Solicitation, FY 2020 Formula Grant Solicitation, May 8, 2020.

SECTION II. ADMINISTRATIVE AND FISCAL REQUIREMENTS

The requirements of the CESF are similar to other U.S. Department of Justice grant programs. However, as a result of the emergency nature to prevent, prepare for, and respond to COVID-19, please refer to local and state procurement offices for information on changes to local and state procurement requirements.

Grantee must comply with the provisions of the effective edition of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in Guidance 2 CFR Part 200, and the Department of Justice (DOJ) "Grants Financial Guide." Grantee may call the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 for additional copies or download the Guide directly from <http://ojp.gov/financialguide/DOJ/>. OCFO periodically revises the Financial Guide and issues changes which are also available on-line.

A. ADMINISTRATIVE CONDITIONS

All grants are subject to, and incorporate by reference, the following general conditions:

A.1.0 Project Self-Assessment [This is suspended for Phase 1, CESF Grantee]

To assist with monitoring and oversight of projects, Grantee is required to complete the Project Self-Assessment form (Appendix C, AG/CPJAD #32). Upon contract execution, the assigned specialist will forward a copy of the form to the project director. The project director will have three weeks to complete and return the form to CPJAD.

A.2.0 Delayed Projects

The Grantee organization is responsible for proceeding with as little delay as possible in commencing its grant project.

If the project has not begun within 30 days following the execution of the contract, the Grantee organization shall report in writing to CPJAD the reasons for the delay, the steps being taken to initiate the project, and the anticipated starting date.

If after an additional 60 days, the project is still not operational, a further statement outlining reasons for the additional delay shall be submitted to CPJAD. The CPJAD Administrator may, at his/her discretion, determine such delay to be excessive, cancel the grant authorization, and reallocate the funds to other projects.

A.3.0 Reporting Requirements

CESF Phase 1 Progress Report

For Phase 1 Grantees, a progress report for the period covering the project start date to December 30, 2020 will be due to CPJAD no later than January 15, 2021.

CESF Phase 2 Progress Report

For Phase 2 Grantees, a semi-annual and an annual progress report will be due to CPJAD. The reporting periods and reporting dates are:

- For the period covering January 1 to June 30, 2021, the report deadline is July 15, 2021.
- For the period covering July 1 to December 31, 2021, the report deadline is January 15, 2022.

The appropriate report form will be provided by CPJAD (Appendix C, AG/CPJAD #20 CESF 08_2020).

A.4.0 Project Activities

Grantee must complete all project activities during the project period. The project's start and end dates are listed on the Application for Grant, Part. I. Title Page.

CESF project activities include, but are not limited to, overtime for employees and purchases of services, supplies, and equipment that are approved by CPJAD. An obligation occurs when grant funds are encumbered, such as in a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the project start date but not later than the project end date. All obligations must be liquidated within 60 days after the end of the project.

A.5.0 Project Supplies and Equipment Inventory

Title to equipment acquired under a Federal award will vest in the recipient organization (or, in the case of a subaward, in the subrecipient's organization). The legal right of ownership and conditions for use, management, and disposal of equipment are set forth in 2 CFR Section 200.313.

Use of Equipment

A State must use equipment acquired under a Federal award in accordance with State laws and procedures. DOJ encourages the States to follow the procedures that are in this Guide.

Recipients and subrecipients other than States must use equipment acquired under an award (or subaward) for the authorized program or project purposes for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Management of Equipment

A State should ensure equipment acquired under a Federal award to the State is managed in accordance with State laws and procedures for property.

Recipients and subrecipients other than States must use procedures for managing equipment (including replacement equipment) acquired in whole or in part under a Federal award, until disposition takes place, that, at a minimum, meet the following requirements:

Property records. Property records must be maintained to include all of the following information:

- Description of the property
- Serial number or other identification number
- Source of the property, including the federal award identification number
- Identification of the title holder
- Acquisition date
- Cost of the property
- Percentage of Federal participation in the cost of the property
- Location of the property
- Use and condition of the property
- Disposition data, including the date of disposal and sale price

Disposition of Equipment

A State recipient must dispose of equipment acquired under the award in accordance with State laws and procedures.

Recipients and subrecipients other than States must dispose of the equipment when original or replacement equipment acquired under the award or subaward is no longer needed for the original project, or for other activities currently or previously supported by a Federal awarding agency, as follows:

If the item to be disposed of has a current per-unit fair market value of \$5,000 or less, the item may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.

If the item has a current per-unit fair market value of more than \$5,000, the item may be retained or sold, but the awarding agency will have a right to a specific dollar amount. Calculate this amount by multiplying the current market value or proceeds from the item sale by the awarding agency's share of the equipment (i.e, the agency's percentage of participation in the cost of the original purchase). The seller is also eligible for limited sale and handling costs of \$500 or 10% of the proceeds, whichever is less.

In cases where the recipient or subrecipient fails to take appropriate disposition actions, the awarding agency may direct other disposition actions.

Inventory of Equipment and Supplies

An inventory of equipment and supplies purchased during the project period must be maintained. The inventory should include a list of all the equipment and unused supplies purchased, the cost, and identification numbers, as applicable. If a project has received more than one award, a cumulative inventory of equipment should be kept.

Refer to the DOJ Grants Financial Guide for additional information regarding purchase and use of equipment.

A.6.0 Project Revisions

Grantee shall submit a written request to CPJAD to revise any aspect of the project. Modifications, alterations, or changes to the project may be requested in writing by the Grantee up to 45 days before the project end date. Project revisions include, but are not limited to, extending the project period, revising the budget, revising the objectives, or changing the project director/fiscal officer. Project revisions are reviewed and approved by CPJAD's Administrator.

To revise the project's:

End date, the Grantee is to submit to CPJAD a written request and explanation indicating the revised end date that the project is seeking as well as a new timeline of activities.

Description (activities, personnel, timeline, subgrantee), the Grantee is to submit to CPJAD a written request and explanation that includes the revised Application for Grant, Part II. Description of the Project.

Budget, the Grantee is to submit to CPJAD a written request and explanation that includes the revised Application for Grant, Part III. Budget Detail and Explanation. For additional information, refer to B.7.0 Modification of Approved Budget.

Other, the Grantee is to submit to CPJAD any changes to program staff, including but not limited to the Project Director or Fiscal Officer. The request shall include the name of the new staff member, their title, and contact information (phone and email).

All project revisions are executed with a project grant modification notice from CPJAD. No oral modification, alteration, amendment, change or extension of any term, provision, or condition of the contract shall be permitted.

A.7.0 Press Releases, Printed Materials, Publications, Training Materials

Grantee agrees to submit to CPJAD for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least 45 days prior to the targeted dissemination date.

Any written, visual, or audio publication (excluding press releases) issued by the Grantee describing programs funded in whole or in part with Federal funds, shall contain the following statement acknowledging the awarding agency(ies) assistance:

“This project was supported by Grant No. _____, awarded by the Bureau of Justice Assistance through the Hawaii Department of the Attorney General. The Bureau of Justice Assistance is a component of the Department of Justice’s Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or the Hawaii Department of the Attorney General.”*

(*) Grantee should contact the assigned specialist for the Federal award number.

This statement shall appear on the first page of written publications. For audio and video publications, it shall be included immediately after the title of the publication in the audio or video file.

Grantee is permitted to display the official Office of Justice (OJP) logo in connection with the activities supported by the award. In this respect, the logo must appear in a separate space, apart from any other symbol or credit. The words “Funded/Funded in part by OJP” shall be printed as a legend, either below or beside the logo, each time it is displayed. Use of the logo must be approved by CPJAD.

Any written material or product intended for public release requires prior approval. Grantee must submit a publication and distribution plan to CPJAD for approval, 45

days before any materials that have been developed under an award are commercially published or distributed.

- The plan must include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and – to assure reasonable competition – the identification of firms that will be approached.
- Grantee must obtain prior approval from CPJAD of this plan for publishing project activities and results when it uses Federal funds to pay for the publication.

A.8.0 Monitoring Subawards

If applicable, Grantee agrees to monitor any subawards under this CESF award in accordance with all applicable statutes, regulations, Office of Management and Budget (OMB) circulars, and guidelines, including the DOJ Grants Financial Guide. Grantee is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of CESF funds by subrecipients. Grantee agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

A.9.0 Certifications and Assurances

A.9.1 General Conditions

OJP requires that CPJAD pass down certain requirements and provisions to Grantees. Grantee must complete the “Acceptance of Conditions” (Appendix B, AG/CPJAD #14 CESF) that is attached to the contract.

A.9.2 Non-Supplanting

Federal funds may not be used to replace state or local funds that would, in the absence of federal assistance, be available or forthcoming for law enforcement and criminal justice programs. Instead, Federal funds must be used to increase the total amount of such other funds the Grantee agency uses.

Grantee may not use Federal grant funds to defray any costs that the Grantee is already obligated to pay. For example, if a Grantee, prior to applying to participate in the grant program, had committed to purchase 10 new computers for crime analysis, then the Grantee must purchase those 10 computers in addition to any computers requested for the grant program.

Grantee must complete the “Certification of Non-Supplanting” (Appendix B, AG/CPJAD #3) that is attached to the contract.

A.9.3 Drug-Free Workplace

If Grantee is a state agency, Grantee must complete the “Certification Regarding Drug-Free Workplace Requirements” (Appendix B, AG/CPJAD #16). If applicable, the certificate is attached to the contract.

A.9.4 Debarment, Suspension, Ineligibility, and Voluntary Exclusion

Grantee must complete the “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions” (Appendix B, OJP #4061/1) that is attached to the contract.

A.9.5 Lobbying

The Anti-Lobbying Act (18 U.S.C. § 1913) was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

Grantee must understand that no federally appropriated funding made available under OJP grant programs may be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval by OJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB regulations.

Grantee with projects that total \$100,000 or more (per project) must complete a “Certification Regarding Lobbying.” (Appendix B, AG/CPJAD #22). If applicable, the certificate is attached to the contract.

A.9.6 Civil Rights

All organizations that receive Federal funds are subject to prohibitions against discrimination in the provision of services under a program or in their employment practices.

a. Non-Discrimination

No person shall, on the grounds of race, religion, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this title. Grantee will comply with:

The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 3789d and 28 C.F.R. §42.201 et seq.);

Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 2000d and 28 C.F.R. §42.101 et seq.);

Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP, COPS, and OVW funded programs or activities. (29 U.S.C. § 794 and 28 C.F.R. § 42.501 et seq.);

Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities. (42 U.S.C. § 10604);

Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 12132 and 28 C.F.R. Pt. 35);

Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP, COPS, and OVW funded training or educational programs. (20 U.S.C. § 1681 and 28 C.F.R. Pt. 54);
and

The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 6102 and 28 C.F.R. § 42.700 et seq.).

Executive Order 13166, 65 Fed. Reg. 50121(2000) and the U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (2002) is the obligation that Grantees of Federal financial assistance provide meaningful access to funded programs and activities for persons with limited English proficiency (LEP). Additional information on LEP is available on-line at www.lep.gov.

Executive Order 13279 and Executive Order 13559 regarding equal protection of the laws for faith based organizations (28 C.F.R pt. 38); The Equal Treatment Regulation provides in part that Department of Justice grant awards of funding may not be used to fund any inherently religious

activities, such as worship, religious instruction, or proselytization. Grantee may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the Grantee or a Sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in funding by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

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.

These grant conditions shall not be interpreted to require the imposition in Grantee programs of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency. The Office of Justice Programs reserves the right to seek judicial enforcement to insure compliance with the foregoing conditions. Grantee must complete the "Certification of Non-Discrimination" (Appendix B, AG/CPJAD #15) that is attached to the contract.

b. Procedures for Processing Complaints Alleging Violations of Federal Non-Discrimination Requirements

Grantee should have a non-discrimination complaint procedure/process in place, which includes the following:

- An identified coordinator who is responsible for overseeing the complaint process,
- A procedure to ensure that beneficiaries or employees are aware that they may complain of discrimination and to whom,
- A procedure to investigate the complaint,
- A procedure to notify the Department of the Attorney General, CPJAD of the complaint, and
- A procedure to notify the Department of the Attorney General of the findings of the investigation.

Grantee must complete the “Certification of Non-Discrimination Complaint Procedures” (Appendix B, AG/CPJAD #30) that is attached to the contract.

In the event that a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing, on the grounds of race, color, religion, national origin, sex, age, or disability against the state or local government unit, Grantee shall forward a copy of the finding to OJP, Office for Civil Rights and CPJAD.

Any individual or group who believes that it is aggrieved by the funded agency can file a complaint with the U.S. Department of Justice, Office for Civil Rights, which investigates all individual complaints of discrimination filed against Grantees of funding from the Office of Justice Programs and its component organizations, Office on Violence Against Women, and the Community Oriented Policing Services Office. If voluntary compliance is not achieved, suspension or termination of funding may result.

A.9.7 10% De Minimis Indirect Cost Rate

The 2 CFR Part 200 Uniform Guidance allows for a 10% de minimis indirect cost rate if an agency has never received a federally approved indirect cost rate.

- 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).
- 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.
- The project costs will be consistently charged as either indirect or direct and will not be double charged or inconsistently charged as both.
- 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 not in compliance with 2 CFR Part 200, it may be required to return grant funds.

If applicable, Grantee must complete the “Certification of 10% De Minimis Indirect Cost Rate” (Appendix B, AG/CPJAD #37). If applicable, the certificate is attached to the contract.

A.9.8 CESF Special Conditions

OJP requires that CPJAD pass down requirements and provisions related to the CESF grant to Grantees. Grantee must complete the “Acceptance of CESF Special Conditions” (Appendix B, AG/CPJAD # 26) that is attached to the contract.

A.10.0 Termination of Aid for Cause or Convenience

Projects may be terminated by CPJAD where it finds a substantial failure to comply with the provisions or regulations of the grant or the project plan. CPJAD may issue a Notice of Default, in writing, of the Grantee’s breach or nonperformance. If the breach or nonperformance is not cured within ten (10) calendar days of the Notice of Default, a Notice of Termination for Cause, in writing, may be issued. CPJAD may terminate the Agreement, in whole or in part, at any time when the interests of CPJAD so require by giving written notice of such termination to Grantee (“Notice of Termination for Convenience”).

A.11.0 Grant Closeout Procedures

The project director, in concert with the CPJAD administrator, is responsible for all detailed actions and controls necessary for timely accomplishment of the grant closeout process.

The final fiscal reports must be received by CPJAD within 60 days after the date the contract terminates or unless mandated earlier by CPJAD.

The required Grantee documents are: final Request for Funds (RFF) and Cash Balance Report, final Project Expenditures and Obligations (PEO) Report, and final Progress Report.

A.12.0 Retention and Access Requirement of Records

Project files, including all pertinent programmatic and financial documents relating to the project must be retained for at least three years after the Federal award between BJA and the Department of the Attorney General is closed. Documentation includes all books of original entry, source documents* supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records. Agencies considering disposal of records should call CPJAD regarding the date of grant closure by BJA.

(*) Source documents include copies of all awards, applications, and required Grantee financial and narrative reports. Personnel and payroll records shall include the time and

activity reports for all individuals paid under the project, whether they are employed full-time or part-time. Time and activity reports are also required for consultants.

CPJAD, DOJ, BJA, Office of the Inspector General, OJP OCFO, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of Grantee which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts.

B. FISCAL CONDITIONS

Grantee shall comply with the financial and administrative requirements set forth in 2 CFR Part 200 and the current edition of the DOJ Grants Financial Guide (refer to page 5 for additional information on obtaining a copy). Not all of these requirements and conditions are included in this document; however, in general, CPJAD grants are subject to and incorporate by reference, the following fiscal requirements and conditions:

B.1.0 Terms and Conditions of the Award

If a Grantee materially fails to comply with the terms and conditions of an award, CPJAD may take one or more of the following actions, as appropriate in the circumstances.

- Temporarily withhold cash payments pending correction of the deficiency by the Grantee.
- Disallow all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspend or terminate the current award.
- Withhold further awards for the project or program.
- Take other remedies that may be legally available.

B.2.0 Project Period

The project director can select the project's start and end date with CPJAD approval. For projects receiving continuation funding, the project period should run consecutively with the prior contract. Once a contract for the grant is executed, the project's start date cannot be modified.

B.3.0 Non-Supplanting

Federal funds may be used only to supplement and not supplant local funds otherwise available for law enforcement and criminal justice programs. (Refer to A.9.2 for more information.)

B.4.0 Use of Funds

Federal funds may be expended only for the purposes and activities specified in the Grantee's approved plan and budget.

B.4.1. Project Expenditures

a. Procurement of Goods and Services

Funds budgeted in the award to the Grantee for, among other purposes, the procurement of goods and services, shall be expended in strict compliance with applicable county, state, and Federal procurement requirements.

b. Equipment

The purchase or acquisition of equipment with Federal funds is allowable if the costs are a necessary part of an approved project.

c. Computer Equipment and Software

The purchase of computer equipment and software (CES) with Federal funds is allowable if the costs are a necessary part of an approved project.

The following procurement criteria must be met:

The CES type to be purchased is identified within the grant application and is necessary and sufficient to meet project goals.

If CES equipment procurement is to be sole source, Grantee has submitted adequate documentation to justify the action. Refer to B.5.0 Non-Competitive Procurement (Sole Source) for additional information.

Grantee has conducted a purchase/lease comparison demonstrating that it is more advantageous to purchase rather than lease the equipment under consideration, or leasing is not allowed by the jurisdiction.

If software development is involved, Grantee has demonstrated that existing computer software already produced and available will not meet the needs of the Grantee.

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, Grantee must comply with the DOJ Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all

constituent elements, where applicable, as described at:
http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

d. Salaries, Wages, and Fringe Benefits

Payment of salaries and wages with Federal funds is permitted if the costs are a necessary part of an approved project. Grant-funded personnel are required to maintain daily time and activity reports (timesheets) whether they are employed full or part-time.

- Grant-funded full-time personnel whose salaries are charged/supported solely on a *single* Federal award are also required to complete the Certification of Grant-Funded Employment (Appendix C, Form AG/CPJAD #38) on a semi-annual basis. The certification must be signed by the employee and a supervisory official having firsthand knowledge of the work performed by the employee.

The fringe benefit cost is also allowable. For the current approved fringe benefit rate for the State of Hawaii, go to the Department of Budget and Finance website www.budget.hawaii.gov and search under the “Statewide Policies, Finance Memorandum.”

The state approved fringe benefit rate is set by Hawaii’s Department of Budget and Finance (B&F) and approved by the U.S. Department of Health and Human Services. Grant recipients from county agencies should consult with the county’s B&F counterpart for the county approved fringe benefit rate. The county rate used cannot include fringe items that are not included in the state’s approved rate.

Fringe benefits on overtime hours are limited to FICA, Workers’ Compensation, and Unemployment Compensation.

e. Consultants

Compensation for individual consultant services is to be reasonable and consistent with that paid for similar services in the marketplace. Effective June 1, 2014, the maximum allowable rate is \$650 per day (excluding travel and subsistence costs) for an eight-hour day or \$81.25 per hour. An eight-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance. Please note, however, that this does not mean that the rate can or should be the maximum limit for all consultants.

Consultants who are contracted through a competitive bidding process are not subject to the maximum consultant rate threshold. Those consultants who have been contracted without a competitive bidding process (e.g., sole source) are subject to the maximum consultant rate threshold.

When the rate exceeds the limit for an eight-hour day, or a proportionate hourly rate (excluding travel and subsistence costs), Grantee must request written approval from CPJAD, prior to obligating grant funds.

In order to calculate a rate of compensation for consultants associated with and employed by educational institutions, divide the total compensation projected for 12 months by 260. If the resulting rate of compensation exceeds the maximum consultant rate established, written prior approval must be obtained from CPJAD.

Compensation for consultants employed by state and local government will only be allowed when the unit of government will not provide these services without cost.

- If a state or local government employee has been contracted to provide services that are related to his or her employment with the state or local government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government.
- If a state or local government employee has been contracted to provide services that are unrelated to his or her employment with the state or local government, then the rate of compensation is based on the necessary and reasonable cost principles which cannot exceed the maximum rate allowed by the awarding agency without prior written approval.

Refer to the DOJ Grants Financial Guide for additional information. It is recommended that Grantee contact CPJAD to ensure that the compensation they are planning to pay a consultant is at the market rate and meets Federal requirements.

Time and activity reports are required for consultants.

f. Travel, Per Diem Rate, and Rental Cars

Project-funded travel must fall within the project period. For additional information refer to A.4.0 Project Activities.

Travel to attend specialized training on the mainland is allowable, if necessary to carry out the project objective(s), and the Grantee can

demonstrate that similar training is not available locally, or cannot be brought to Hawaii at a comparable price. Prior approval from CPJAD is required for each trip.

The allowable per diem rate and excess lodging costs for travel is based on the county and state approved rates.

All contracts funded by OJP awards for events that include 30 or more participants (both Federal and non-Federal) must ensure that lodging costs for any number of attendees do not exceed the prevailing Federal rate for lodging. If the lodging rate is not the Federal rate or less, none of the lodging costs associated with the event are allowable costs to the award. As a result, Grantee would be required to pay for all lodging costs for the event with non-grant funds, not just the amount in excess of the Federal rate. For example, if the Federal rate for lodging is \$78 per night, and the lodging rate for the event is \$100 per night, Grantee would be required to pay the full \$100 per night with non-grant funds, not just the difference of \$22 per night.

Car rental while attending mainland conferences or training is not allowable except in special circumstances, and require prior approval from CPJAD. It is expected that a taxi or shuttle service will be used whenever possible. Variances in special situations (for example, when a rental car is more cost effective, when a taxi or shuttle service is not practicable) will be done on a case-by-case basis.

g. Training/Conference Cost Thresholds and Conditions

Reasonable conference-related activity costs are allowable uses of funds as long as the grant budget has been approved by CPJAD.

Grantee shall 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, training, and other events. Information on pertinent laws, regulations, policies, and guidance is available at

<http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>.

Grantee should become familiar with the Policy and Guidance for Conference Costs found in the DOJ Grants Financial Guide. OJP periodically revises the policy and guidance for conference costs, therefore, Grantee must comply with the provisions of the most current policy/guidance. Failure to comply with these conditions may result in the denial, reduction, or termination of funding.

In general, conferences (defined broadly to include meetings, retreats, seminars, symposiums, events, and group training activities) conducted by Grantee is an allowable cost. However, Grantee must ensure compliance with the following limitations and cost thresholds:

- Meeting room/audio-visual services (cost limit, lesser of \$25 per day per attendee or \$20,000)
 - Cost allowed for conference space and audio-visual equipment and services is limited to \$25 per day per attendee not to exceed a cumulative cost of \$20,000. Cost in excess of these limits require additional justification and approval outside of OJP.
- Printing - Every effort should be made to provide conference materials to participants electronically or via print-on-demand services/options. Printed materials should maximize paper usage (printing on both sides) and minimize higher cost options (color printing) where possible.
- Logistical Planners (cost limit, lesser of \$50 per attendee or \$8,750).
- Programmatic Planners (cost limit, lesser of \$200 per attendee or \$35,000).
- Food and Beverage (not allowed).
- Refreshments (not allowed).

Training or training materials developed or delivered with CESF funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

Trinkets (items such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., regardless of whether they include the conference name or OJP/DOJ logo) must not be purchased with grant funds as giveaways for conferences. Basic supplies that are necessary for use during the conference (e.g., folders, name tags) may be purchased. Gifts, honorariums, lei, etc. cannot be purchased with grant funds.

h. Printing and Publication

Printing and publication costs are allowed. Refer to A.7.0. Press Releases, Printed Materials, Publications, Training Materials, and DOJ Financial Guide for additional guidance on allowable printing and publication activities.

To be considered allowable, publication costs must be incurred for work done according to a process that the Grantee has described in writing. This process should include writing, editing, and preparing the illustrated

material (including videos). Refer to the current edition of the DOJ Financial Guide for additional guidance on allowable printing and publication activities.

i. Indirect Costs

Indirect costs are allowed if the Grantee has a current federally approved indirect cost rate. Grantee must provide a copy of the federally approved indirect cost rate agreement to CPJAD. A Grantee that has never received a federally approved indirect cost rate may use the Certification of 10% De Minimis Indirect Cost Rate. Refer to A.9.7 for more information.

B.4.2 Unallowable Costs

The expenses listed below are not permitted:

a. Costs Incurred Outside the Project Period

Any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable. For additional information, refer to B.2.0 Project Period.

b. Land Acquisition

Acquisition of land with Federal funds is prohibited.

c. Food and Beverage Expenditures

CESF grant funds cannot be used to purchase food and/or beverages for any meeting, conference, training, or other event.

d. Firearms, Standard Law Enforcement Uniforms and Gear

The purchase of firearms, ammunition, and standard law enforcement uniforms and gear with Federal funds is prohibited. Specialized law enforcement uniforms can be purchased if it is identified within the grant application and is necessary to meet project goals.

e. Fundraising

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to

the award, except insofar as such persons perform other funding-related activities.

An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the award.

Nothing in this section should be read to prohibit a Grantee from engaging in fundraising activities as long as such activities are not financed by Federal or matching funds.

f. Lobbying

Refer to A.9.5. Lobbying.

g. Payment for Unused Accrued Vacation

Payout for unused accrued vacation cannot be made with Federal funds.

h. Replacing Loss, Damage, Theft of Equipment

Refer to B.12.0. Loss, Damage, Theft of Equipment.

i. Other

- Entertainment, including amusement, diversion, and social activities, and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities)
- Fines and penalties (except when incurred as a result of compliance with specific provisions of an award or instructions in writing from the awarding agency)
- Credit card fees
- Passport charges
- Tips
- Bar charges/alcoholic beverages
- Membership fees to organization whose primary activity is lobbying
- Premium (overtime) pay:
 - You should not pay overtime costs solely because you are using Federal funds.
 - Overtime pay must be authorized in advance through written approval from CPJAD.

B.5.0 Justification for Non-Competitive Procurement (Sole Source Justification)

CPJAD authorization is needed for sole source procurements over \$150,000 in Federal funds. Grantee is required to submit a completed Justification for Non-Competitive Procurement Form (Appendix C, AG/CPJAD #21) to CPJAD. Upon authorization by the CPJAD Administrator, Grantee may proceed with the process to obtain approval utilizing state and county procurement rules. The authorization from CPJAD is not approval for sole source procurement, it only authorizes Grantee to proceed with the process to obtain approval. All procurement transactions, whether negotiated or competitively bid and without regard to value, must comply with Grantee's procurement requirements that provide maximum open and free competition.

B.6.0 Program Income

Program income means gross income earned by the Grantee that is directly generated by a supported activity or earned as a result of the Federal award during the project period. Grantee can use program income to advance program objectives or refund the income to CPJAD. Program income may only be used for allowable program costs. Unless otherwise stipulated in the award, any program income earned during the project period but not utilized for the project must be refunded to CPJAD. Prior approval to expend the funds for program purposes must be obtained from CPJAD prior to the expenditure of such funds. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of law enforcement. Program income shall be reported by Grantee on the quarterly Project Expenditures and Obligations Report (Appendix C, AG/CPJAD #8). Refer to B.9.0 Project Expenditures and Obligations Report.

B.7.0 Modification of Approved Budget

Modification of an approved budget must be submitted in writing to CPJAD in advance of the obligation of expenditures. Upon approval by the CPJAD Administrator, a project grant modification notice will be initiated.

All requests for budget modifications must be submitted by the Grantee no later than 45 days prior to the project end date. All requests for modification to the approved budget shall be reviewed by CPJAD for consistency with Federal requirements and project goals and objectives. Grantee is to submit a revised Application for Grant, Part III. Budget Detail and Explanation.

The following conditions require a budget modification and CPJAD approval:

- Change in approved budget line item in excess of 5% of the total category amount in which the line item is listed.
- Moving monies into any budget category with a zero dollar amount.

For additional information, refer to A.6.0 Project Revisions.

B.8.0 Request for Funds and Payments

Once the contract between the Department of the Attorney General and the Grantee is executed, payments to Grantee shall be made in accordance with and subject to the following provisions:

- Payments shall be made monthly upon receipt of Grantee's completed Request for Funds. Funds are not paid in lump sum but rather distributed over time as project costs are incurred or anticipated.
- Drawdown requests should be based upon the minimum needed for disbursements/reimbursements to be made immediately or within 10 days to ensure that Federal cash on hand is kept to a minimum. If the requested funds are not disbursed within 10 days of receipt, Grantee may be requested to return funds to CPJAD.
- Payments shall be made in accordance with and subject to Chapter 40, Hawaii Revised Statutes, which specifies the accounting procedures and controls applicable to payments out of the Treasury of the State of Hawaii.
- If an amount of reported expenditures is determined by CPJAD to be inappropriate and unallowable, CPJAD may deduct an equivalent amount from the next payable installment and may withhold payment of the amount of the monies equivalent to the questioned expenditures until resolution of the discrepancy by audit or other means.

If, after payment of the last installment, investigation and examination reveal additional expenditures that are determined by CPJAD to be inappropriate and unallowable, CPJAD may require that an equivalent amount of monies be refunded to CPJAD notwithstanding CPJAD's preliminary determination of appropriateness and allowability.

Grantee must submit the completed Request for Funds and Cash Balance Report (Appendix A, AG/CPJAD #7) to request funds. The Request for Funds form must be received by CPJAD by the 15th of each month, even if no funds are being requested. CPJAD also uses this report to monitor a project's cash balance. Refer to B.11.0 for allowable cash on hand.

The final drawdown for funds shall be received by CPJAD no later than 30 days after the contract terminates.

Refer to Appendix A. Financial Forms for a copy of the form and the instructions for completing it. The form is also available on the G&P website at www.ag.hawaii.gov/cpja/gp. Also refer to A.13.0 Grant Closeout Procedures for additional information on final reports.

B.9.0 Project Expenditures and Obligations Report

Grantee must submit the completed Project Expenditures and Obligations Report (Appendix A, AG/CPJAD #8) at the end of each calendar quarter. The Project Expenditures and Obligations Report must be received by CPJAD by the 15th day following the end of each calendar quarter. The Project Expenditures and Obligations Report is due as follows:

January to March calendar quarter	due April 15 th
April to June calendar quarter	due July 15 th
July to September calendar quarter	due October 15 th
October to December calendar quarter	due January 15 th

Non-adherence to these deadlines may result in the withholding of grant funds. The quarterly report allows CPJAD to monitor cumulative project expenditures that were paid with Federal funds, and the collection and dispersion of program income.

Refer to Appendix A. Financial Forms for a copy of the form and the instructions for completing it. The form is also available on the G&P website at www.ag.hawaii.gov/cpja/gp. Also refer to A.11.0 Grant Closeout Procedures for additional information on final reports.

B.10.0 Fiscal Administration

Grantee's records concerning the grant project must be made available for inspection and audit by authorized Federal and state officials in accordance with the DOJ Grants Financial Guide.

B.10.1 Accounting System

- Establish a separate account for the grant project with separate accountability of receipts, obligations, expenditures, and balances for each fiscal budget period.
- Itemize all supporting records of grant receipts and expenditures in sufficient detail to document the exact nature of fiscal activity for each fiscal budget period.
- Provide data and information for each expenditure with proper reference to a supporting voucher or bill properly approved.
- Maintain payroll authorizations and vouchers.
- Maintain a time-reporting system for personnel charged to grant.

- Maintain adequate records supporting charges for fringe benefits.
- Maintain adequate records supporting charges for equipment.
- Project accounting records should also reflect program income received, if any, through fees, contributions, or payments by third party. Maintain supporting records of income received, expended, and balances for each fiscal budget period.

B.10.2 Audit

The DOJ Grants Financial Guide and the Uniform Guidance 2 CFR Part 200 state that if a Grantee is a non-Federal entity that expended \$750,000 or more in Federal funds during the Grantee agency's fiscal year, Grantee is required to arrange for a single organization-wide audit conducted in accordance with the provisions of Title 2 CFR Subpart F. If applicable, Grantee shall submit a copy of their audit report to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb/> and to CPJAD.

Grantee shall comply with the applicable audit requirements of 2 CFR Part 200, and further understands that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) are not satisfactorily and promptly addressed as further described in the audit requirements and current edition of the DOJ Grants Financial Guide.

Failure to comply with audit requirements may result in the withholding of new awards and/or withholding of funds.

B.10.3 Catalog of Federal Domestic Assistance (CFDA)

Title: Coronavirus Emergency Supplemental Funding Program
 Number: 16.034
 Agency: Department of Justice

B. 10.4 Unencumbered/Unexpended Funds

Funds provided to Grantee that are unencumbered on the date the project terminates shall be returned to CPJAD. Funds that are encumbered but not disbursed within 60 days after the project terminates shall be returned to CPJAD.

B.11.0 Cash on Hand

Excess cash on hand is unallowable. Grantee should request funds based upon the minimum needed for disbursements/reimbursements to be made immediately or within

10 days of receipt. Grantee should time drawdown requests to ensure that Federal cash on hand is kept to a minimum.

B.12.0 Loss, Damage, Theft of Equipment

Grantee is responsible for replacing or repairing equipment that is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the property must be investigated and fully documented and made part of the official project records.

Grantee cannot use Federal funds to replace or repair equipment that is willfully or negligently lost, stolen, damaged, or destroyed.

APPENDIX A

FINANCIAL FORMS

**DEPARTMENT OF THE ATTORNEY GENERAL
REQUEST FOR FUNDS AND CASH BALANCE REPORT**

check one: MONTHLY DRAWDOWN (due at CPJAD by the 15th day of each month)
 FINAL DRAWDOWN (due at CPJAD by the 30th day after project end date)
 FINAL REPORT (due at CPJAD by the 60th day after project end date)

PROJECT NO. _____

PROJECT TITLE: _____

REPORT NO. _____

PART A. REQUEST FOR GRANT FUNDS

	GRANT	AGENCY MATCH	TOTAL
1. AMOUNT OF GRANT AWARD	\$ 0	\$ 0	\$ 0
2. PERCENT OF TOTAL GRANT	#DIV/0!	#DIV/0!	#DIV/0!
3. ADVANCES REQUESTED TO DATE	\$ 0	Leave Blank	Leave Blank
4. BALANCE OF AWARD AVAILABLE	\$ 0	Leave Blank	Leave Blank
5. AMOUNT OF THIS REQUEST	\$ 0	Leave Blank	Leave Blank

For State Agencies -- transfer of funds to Appropriation Code: _____

PART B. CASH BALANCE REPORT

	GRANT	AGENCY MATCH	TOTAL
1. TOTAL CASH RECEIVED AS OF _____	\$ 0.00	Leave Blank	Leave Blank
2. LESS: CUMULATIVE EXPENDITURES AS OF _____	\$ 0.00	\$ 0.00	\$ 0.00
3. ENDING CASH BALANCE	\$ 0.00	Leave Blank	Leave Blank

I CERTIFY THAT THE INFORMATION CONTAINED HEREINABOVE IS IN ALL RESPECTS TRUE AND CORRECT AND THE DISBURSEMENTS BEING MADE ARE IN ACCORDANCE WITH THE GRANT AWARD CONTRACT FOR THE SUBJECT PROGRAM.

ADMINISTERING AGENCY: _____

AGENCY ADDRESS: _____

SIGNATURE OF

AUTHORIZED AUTHORITY: _____

DATE: _____

TYPED NAME & TITLE: _____

PREPARER NAME: _____

PHONE #: _____

FAX #: _____

FOR USE BY THE DEPARTMENT OF THE ATTORNEY GENERAL ONLY

Payment Approved: _____

Goods/Svs. Satisfactorily Received: _____

By: _____

Date Goods/Svs. Received: _____

Date Invoice Received: _____

Specialist _____

INSTRUCTIONS
REQUEST FOR FUNDS AND CASH BALANCE REPORT
(AG/CPJAD #7)

DUE: Monthly Drawdown: Submit a completed form (one original and two copies), by the 15th of each month, even if no funds are being requested. If no funds are being requested, submit one original only.

Final Drawdown: Submit a completed form (one original and two copies), by the 30th day after the project end date. This will be the project's final request for cash.

Final Report: Submit a completed form (one original and two copies), by the 60th day after the project end date.

PURPOSE: (1) To request funds.
(2) To monitor cash balance (grant cash balance should be kept at a minimum).

PART A. REQUEST FOR GRANT FUNDS

1. Enter amounts (Grant, Agency Match, Total) awarded to the project in the appropriate column. "GRANT" means the State or Federal portion of the project's budget. NOTE: See Exhibit A, "Application for Grant, Part I, Title Page," of the Contract or any applicable Supplemental Agreement, for the Grant, Agency Match, and Total information.
2. Percentages will be automatically entered as Part A. Line 1 is completed. The percentages are also listed on Exhibit A, "Application for Grant, Part I, Title Page," of the Contract or applicable Supplemental Agreement. The sum of Grant and Agency percentages should equal 100%.
3. Enter cumulative requests for Grant made prior to this submittal in the Grant column. If Grant funds are returned to CPJAD, then the amount "Advances Requested to Date" is reduced proportionally.
4. The Balance of Award Available (Line 1 less Line 3) will be automatically entered in the Grant column as Lines 1 and 3 are completed.
5. **Enter amount requested, rounded to the nearest dollar, in the Grant column.**

PART B. CASH BALANCE REPORT

1. Enter total cash received to date in the Grant column. Enter the date in the space provided.
2. Enter total cumulative (not monthly) project expenditures to date in the appropriate column(s). Enter the date in the space provided. The amount entered in this column(s) should be actual expenditures. Do not include obligated costs. By the end of the project, the expenditures should match the percentages in Part A, Line 2.
3. The Ending Cash Balance (Line 1 less Line 2) will be automatically entered in the Grant column as Lines 1 and 2 are completed. **A federal requirement is that the cash balance should be kept to a minimum.**

SUBMITTING FINAL REPORT (due at CPJAD by the 60th day after the project end date)

1. Check the "Final Report" box to indicate that this is the agency's final report.

2. PART B. Line 3. Ending Cash Balance must be \$0 on the “final” report. If an amount more than \$0 is listed, then the project is required to return this amount to CPJAD. If the agency is in the process of returning funds to CPJAD or has not returned the funds to CPJAD, then do not check the “Final Report” box.

**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT**

RPT. # _____

PROJECT TITLE: _____

PROJECT # _____

REPORTING PERIOD: CALENDAR QUARTER ENDING: _____

PART A. EXPENDITURE CATEGORIES				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
SALARIES & WAGES				\$0.00
FRINGE BENEFITS				\$0.00
CONSULTANT SERVICES/CONTRACTS				\$0.00
TRANSPORTATION/SUBSISTENCE				\$0.00
OFFICE SUPPLIES				\$0.00
EQUIPMENT				\$0.00
OTHER COSTS				
1.				\$0.00
2.				\$0.00
List Total Other Cost from Page 2				\$0.00
EXPENDITURE TOTAL	\$0.00	\$0.00	\$0.00	\$0.00
PROGRAM INCOME SOURCES:				
1.				\$0.00
2.				\$0.00
PROGRAM INCOME TOTAL	\$0.00	\$0.00		\$0.00
GRAND TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

PART B. SOURCE OF FUNDS				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
GRANT FUNDS: 0%				\$0.00
AGENCY MATCH: 0%				\$0.00
SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00
PROGRAM INCOME	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

I CERTIFY THAT THIS IS A TRUE AND CORRECT STATEMENT OF EXPENDITURES AND OBLIGATIONS OF THE PROJECT IDENTIFIED ABOVE FOR THE PERIOD NOTED AND THAT THE APPROPRIATE DOCUMENTATION TO SUPPORT THESE EXPENDITURES AND OBLIGATIONS ARE AVAILABLE IN THE OFFICE NOTED BELOW.

ADMINISTERING AGENCY: _____

PREPARER: _____ PHONE: _____ FAX: _____

SIGNATURE OF AUTHORIZED AUTHORITY: _____ DATE: _____

TYPED NAME & TITLE: _____

SUBMIT ORIGINAL PLUS 2 COPIES

MUST BE RECEIVED WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER DURING THE PROJECT PERIOD

FINAL REPORT MUST BE RECEIVED WITHIN 60 DAYS AFTER THE PROJECT END DATE

**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT, PAGE 2**

RPT. # _____

PROJECT TITLE: _____ PROJECT # _____

REPORTING PERIOD: CALENDAR QUARTER ENDING: _____

PART A. EXPENDITURE CATEGORIES Continued from Page 1	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
OTHER COSTS				
3.				\$0.00
4.				\$0.00
5.				\$0.00
6.				\$0.00
7.				\$0.00
8.				\$0.00
9.				\$0.00
10.				\$0.00
11.				\$0.00
12.				\$0.00
13.				\$0.00
14.				\$0.00
15.				\$0.00
16.				\$0.00
17.				\$0.00
18.				\$0.00
19.				\$0.00
20.				\$0.00
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

SUBMIT ORIGINAL PLUS 2 COPIES

MUST BE RECEIVED WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER DURING THE PROJECT PERIOD

FINAL REPORT MUST BE RECEIVED WITHIN 60 DAYS AFTER THE PROJECT END DATE

INSTRUCTIONS
PROJECT EXPENDITURES & OBLIGATIONS REPORT
(AG/CPJAD #8)

DUE: Fifteen (15) calendar days after the end of each calendar quarter. NOTE: Due dates are April 15th, July 15th, October 15th, and January 15th, regardless of project start date. Submit one original and two copies.

Final Report: Due by the 60th day after the project end date. Submit one original and two copies.

PURPOSE: For CPJAD and Grantee to monitor project expenditures to ensure that project funds are spent in a timely manner, within budget, and by the end of the project. The information on this form is reported to the Office of the Chief Financial Officer, Department of Justice. This is a requirement for all federally funded projects .

PART A. EXPENDITURE CATEGORIES

1. Approved Budget: Enter total (not quarterly) amounts in each category established by the project's current approved budget. The approved budget includes both the grant funds and the agency funds. NOTE: Project Directors should provide Fiscal Officers with a copy of the project's current approved budget.
2. Expenditures to Date: Enter cumulative (not quarterly) expenditures in each category as of the end date of the calendar quarter. The cumulative expenditures includes both the grant expenditures and the agency expenditures.
3. Unpaid Obligations: Enter unpaid obligations in each category as of the end date of the calendar quarter. The unpaid obligations includes both the grant obligations and the agency obligations. Unpaid obligations are obligations for which funds have been obligated but have not been paid (e.g., issued purchase orders, invoices that have not been paid, etc. (Do not complete shaded cells.)
4. Balance: The balance (approved budget less expenditures to date and unpaid obligations) will be automatically entered as the approved budget, expenditures to date, and unpaid obligations columns are completed.
5. Program Income Sources: Enter any sources of program income. Examples of program income include royalties, registration/tuition fees, and asset seizures and forfeitures. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of law enforcement. Program income earned as a result of project activities should be returned to the program.
6. Expenditure Total, Program Income Total, and Grand Total: The Excel spreadsheet includes formulas that will compute these items. The amounts in the "Grand Total" for both Parts A and B must be the same.

PART B. SOURCE OF FUNDS

1. Source of Funds: Enter the percentage of grant and agency funds. NOTE: See Exhibit A, “Application for Grant, Part I, Title Page,” of the Contract or any applicable Supplemental Agreement, for this information.
2. Approved Budget: Enter the grant and agency match amounts as established in the project’s current approved budget.
3. Expenditures to Date: Enter cumulative (not quarterly) grant and agency match expenditures as of the end date of the calendar quarter. (The grant and agency match expenditure amounts listed here should be the same amounts listed in the corresponding Request for Funds and Cash Balance Report, AG/CPJAD #7, Part B. Line 2.)
4. Unpaid Obligations: Enter cumulative (not quarterly) grant and agency match unpaid obligations as of the end date of the calendar quarter.
5. Balance: The balance (approved budget less expenditures to date and unpaid obligations) will be automatically entered as the approved budget, expenditures to date, and unpaid obligations columns are completed.
6. Subtotal, Program Income, and Grand Total: The Excel spreadsheet includes formulas that will compute these items. The amounts in the “Grand Total” for both Parts A and B must be the same.

SUBMITTING FINAL REPORT

1. After entering the RPT# (top right corner), type “Final” to indicate that this is the agency’s final report. A report cannot be “Final” if unpaid obligations remain.

APPENDIX B

CERTIFICATIONS AND ASSURANCES

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 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Coronavirus Emergency Supplemental Funding Program established under Public Law No. 116-136, as amended, and codified at 28 U.S.C. 530C et seq.
2. Any grant awarded pursuant to this application shall be subject to and will be administered in conformity with:
 - (a) conditions applicable to grants administered by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance;
 - (b) any special conditions contained in the grant award; and
 - (c) 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 CESF SPECIAL CONDITIONS

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

1. Requirements of the Award; Remedies for Non-Compliance or for Materially False Statements

The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the Grantee that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements – whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period – may result in CPJAD taking appropriate action with respect to the Grantee and the award. Among other things, CPJAD may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice and CPJAD also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the state and/or federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements

Grantee agrees to comply with the financial and administrative requirements set forth in 2 C.F.R. Part 200 and the current edition of the Department of Justice (DOJ) Grants Financial Guide.

Grantee understands and agrees that CPJAD may withhold award funds, or may impose other related requirements, if the Grantee 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.

3. Reporting Requirements

Grantee shall comply with all reporting, data collection, and evaluation requirements, as prescribed by law and detailed by the BJA in program guidance for the Coronavirus Emergency Supplemental Funding Grant Program.

Grantee shall submit a Semi-Annual Progress Report to CPJAD every six (6) months following the calendar year. The progress report is to cover activities that the Grantee has completed during that reporting period.

The semi-annual reporting periods and due dates are:

- January 1 – June 30 Due: July 15
- July 1 – December 31 Due: January 15

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.

4. DOJ Regulations Pertaining to Civil Rights and Nondiscrimination

28 C.F.R. Part 38

Grantee, 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 Grantee and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to grantees 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 <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR “current” data.

28 C.F.R. Part 42

Grantee, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

Grantee, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

28 C.F.R. Part 54

Grantee, and any subrecipient (“subgrantee”) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain “education programs.”

5. “Lobbying” Restrictions

In general, as a matter of federal law, federal funds may not be used by the Grantee, or any subrecipient (“subgrantee”) at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded from being used by the Grantee, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a Grantee (or subrecipient) would or might fall within the scope of these prohibitions, the Grantee is to contact CPJAD for guidance, and may not proceed without the express prior written approval of CPJAD.

6. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

Grantee and any subrecipients (“subgrantees”) at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has, in connection with funds under this award – 1) submitted a claim that violates 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. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”), or by:

Mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
1425 New York Avenue, N.W.
Suite 7100
Washington, DC 20530

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 <https://oig.justice.gov/hotline>

7. 41 U.S.C. 4712 (Including Prohibitions on Reprisal; Notice to Employees)

Grantee 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.

Grantee 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 CPJAD encourages Grantees 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

Grantee 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 in the DOJ Grants Financial Guide Conference Cost Chapter.

Grantee understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub-grantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>

10. Duplicate Award of Federal Funds

Grantee agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this CPJAD 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 CPJAD award, the Grantee will promptly notify, in writing, the assigned Criminal Justice Planning Specialist for this CPJAD award, and, if so requested by CPJAD, seek a budget or project narrative modification to eliminate any inappropriate duplication of funding.

11. Information Technology Compliance

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the Grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

12. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

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.

13. Prohibited Conduct Related to Trafficking in Persons

Grantee, 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 Grantees, subgrantees, or individuals defined (for purposes of this condition) as “employees” of the Grantee or of any subgrantee.

The details of the Grantee's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by grantees and subgrantees related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

14. General Appropriations-Law Restrictions

Grantee, 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, 2020, are set out at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm> and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a Grantee 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.

15. Requirements to Report Actual or Imminent Breach of Personally Identifiable Information (PII)

Grantee shall have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) of "personally identifiable information" (PII) (2 CFR 200.79), if Grantee 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of such "personally identifiable information" within the scope of the grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130).

Grantee's response procedures must include a requirement to report by email actual or imminent breach of PII to the assigned CPJAD grant manager and to hawaiiag@hawaii.gov no later than 12 hours after an occurrence of an actual breach, or the detection of an imminent breach, with the date and time of the breach or detection of an imminent breach, description of actual or imminent breach, project number, project title, name of Grantee, and Grantee contact information.

16. Employment Eligibility Verification for Hiring Under the Award

Grantee, and any subrecipient ("subgrantee") at any tier, must:

a) ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the Grantee (or any subgrantee) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2);

b) notify all persons associated with the Grantee (or any subgrantee) who are or will be involved in activities under this award of both this award requirement for verification of employment eligibility and the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens;

c) provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S. C. 1324a(a)(1) and (2); and

d) as part of recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 recorded retention requirements, as well as records of all pertinent notifications and trainings.

For the purposes of this condition, persons “who are or will be involved in activities under this award” specifically includes (without limitation) any and all Grantee (or any subgrantee) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

For the purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the Grantee (or any subgrantee) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the Grantee (or subgrantee) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a “Tentative Nonconfirmation” or a “Final Nonconfirmation”) to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

17. Unreasonable Restrictions on Competition Under the Award; Association with Federal Government

This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the Grantee or by any subrecipient (“subgrantee”) at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

Consistent with the (DOJ) Part 200 Uniform Requirements – including as set out at 2 C.F.R. 200.300 (requiring awards to be “manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements”) and 200.319(a) (generally requiring “[a]ll procurement transactions [to] be conducted in a manner providing full and open competition” and forbidding practices “restrictive of competition,” such as “[p]lacing unreasonable requirements on firms in order for them to qualify to do business” and taking “[a]ny arbitrary action in the procurement process”) – no Grantee (or subgrantee, at any tier) may (in any procurement transaction) discriminate

against any person or entity on the basis of such person or entity’s status as an “associate of the federal government” (or on the basis of such person or entity’s status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by CPJAD.

The term “associate of the federal government” means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government – as an employee, contractor or subcontractor (at any tier), Grantee or subgrantee (at any tier), agent, or otherwise – in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

18. Determination of Suitability to Interact with Participating Minors

This condition applies to this award if it is indicated in the application for award (as approved by CPJAD) (or in the application for any subaward at any tier), the funding announcement (solicitation), or an associated federal or state statute – that a purpose of some or all of the activities to be carried out under the award (whether by the Grantee or subgrantee at any tier) is to benefit a set of individuals under 18 years of age.

Grantee, and any subgrantee at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual’s employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

SUBMITTED BY:

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

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-SUPPLANTING

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

SUBMITTED BY:

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

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION

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

- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in 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
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- (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.

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

INSTRUCTIONS

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

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

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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

including termination; or

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

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

Street Address	Street Address
City, State, Zip Code	City, State, Zip Code
County	County

SUBMITTED BY:

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

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.

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Project No.: _____

Title: _____

Name and Address of Organization

Name of OJP Agency

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: _____

Title: _____

(Head of Grantee Agency or Designee)

APPENDIX C

MISCELLANEOUS FORMS

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CESF PROGRESS REPORT

Phase 1 Grantees must submit a Final Progress Report at the end of the project period (December 30, 2020). Reports are due January 15, 2021.

Phase 2 Grantees must submit a **Semi-Annual Progress Report** and a **Final Progress Report** following the calendar year. The progress report is to cover activities that occurred or were completed during the identified reporting period.

The due dates for the **Progress Reports** are:

Semi-Annual Progress Report for January 1 to June 30, 2021 Due: July 15, 2021
Final Progress Report for July 1 to December 31, 2021 Due: January 15, 2022

The completed report is to be mailed to the CPJAD.

Project Number: _____

Project Title: _____

Agency: _____

Person Completing Report: _____ Phone: _____

Project Period: _____ Select Month _____, Select Year _____ to Select Month _____, Select Year _____

Report Period: _____ Select Month _____, Select Year _____ to Select Month _____, Select Year _____

Date of Report: _____

Choose one: Phase 1 Requires a final report for the entire project period.
 Phase 2 Request a semi-annual and a final report.

A. Summarize the accomplishments made with CESF to prevent, prepare, and/or respond to COVID-19

B. What problems/barriers were encountered, if any, that prevented you/your organization from completing the activities described in the Agreement, Part II. Narrative?

C. Are you on track to complete the timeline and activities as outlined in the Agreement, Part II. Narrative. If no, please state what is being done to address the delay(s) or issue(s) impacting you/your organization.

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT
(SOLE SOURCE JUSTIFICATION)

All sole source procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$150,000), must receive prior approval from CPJAD before entering into the contract. This authorization from CPJAD is not approval for non-competitive sole source procurement; it only authorizes you to proceed with the process to obtain approval utilizing state and county procurement rules. All procurement transactions, whether negotiated or competitively bid and without regard to value, must comply with procurement requirements that provide maximum open and free competition.

Provide a brief description of the program and the project or service to be procured, including the expected procurement amount.

Check which circumstance has led to the need for a non-competitive procurement process:

- The item or service is available only from a single source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- After solicitation of a number of sources, competition is determined to be inadequate.

Provide an explanation of why it is necessary to procure non-competitively. The justification may include the following contractor qualities: (1) organizational expertise; (2) management; (3) knowledge of the program; (4) responsiveness; or (5) expertise of personnel.

Provide a statement of when contractual coverage is required and, if dates are not met, what impact it will have on the program (e.g., how long it would take another contractor to reach the same level of competence). Make sure to include the financial impact in dollars.

Outline the unique qualities of the contractor.

Indicate whether the established procurement rules for non-competitive sole source for goods and services will be followed:

 YES
 NO: please explain

Describe how this action is in the best interest to the agency.

AUTHORIZED TO PURSUE NON-COMPETITIVE PROCUREMENT

NOT AUTHORIZED TO PURSUE NON-COMPETITIVE PROCUREMENT

CPJAD Branch Chief

Date

DEPARTMENT OF THE ATTORNEY GENERAL
 Crime Prevention and Justice Assistance Division
 Project Self-Assessment

Agency:					
Project No:					
Contact Name:					
Email Address:					
Phone:				Date:	
<i>Instructions: Place an "x" in the appropriate column.</i>		Yes	No	N/A	N/A=Not Applicable <i>A comment is required for N/A to be considered</i>
General					
1	Has the project director operated or managed state and/or federal funds at any agency within the past 5 years?				
2	Has the fiscal officer operated or managed state and/or federal funds at any agency within the past 5 years?				
3	Is this project new for the agency (operational for less than two years)?				
4	Has there been staff turnover or agency reorganization that affects this project?				
5	Have the majority of project staff worked in the project for less than 2 years?				
6	Does the project have effective procedures and controls (standard policies & procedures)?				
Legal					
1	For Non-Government Organizations: Does the agency/entity have or previously had a lawsuit(s) filed against them? If yes, list all pending and/or previous lawsuits with detailed information regarding who filed the lawsuit, the reason for filing and the final judgment rendered.				
2	Is agency currently or previously been suspended or debarred?				
3	Have any agency staff connected to the project been convicted of a crime linked to any area related to the grant or, if the individual handles money relating to the grant convicted of any crime such as fraud, embezzlement or other crimes involving handling of money?				
Financial Systems					
1	For Government Organizations: Does the agency use a state or county uniform financial management/accounting system? If yes, proceed to question 3.				
2	For Non-Government Organizations: Does the agency have a financial management system in place to track and record the program expenditures? (Example: Quickbooks, Visual Bookkeeper, Socrates Media, Peachtree or a Custom Proprietary System)				
3	Does the accounting system identify the receipts and expenditures of program funds separately for each award?				

DEPARTMENT OF THE ATTORNEY GENERAL
 Crime Prevention and Justice Assistance Division
 Project Self-Assessment

Agency:					
Project No:					
Contact Name:					
Email Address:					
Phone:				Date:	
<i>Instructions: Place an "x" in the appropriate column.</i>		Yes	No	N/A	N/A=Not Applicable <i>A comment is required for N/A to be considered</i>
4	Does the accounting system provide for the recording of expenditures for each award by the budget cost categories shown in the approved budget?				
5	Does the agency require project-funded staff to complete time and activity sheets identified by funding source?				
6	As applied to this project, does the agency have an indirect cost rate that is approved and current?				
	a) If yes, who approved the rate?				

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF GRANT-FUNDED EMPLOYMENT

Per Title 2 Code of Federal Regulations (CFR) Part 225, *Cost Principles for State, Local, and Indian Tribal Governments*, Appendix B, *Selected Items of Cost*, this is to certify that the below listed employee has worked solely on the specified single Federal award or cost objective, and that charges for the named employee(s) salary and wages are supported by this periodic certification for the period covered by this certification.

This certification is for the Project Period (max 6 months): _____

Employee Name: _____

Position: _____

Project Number: _____

Project Title: _____

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

Note: The completed certification is to be filed with the official project records along with the employee's time and activity sheets.

APPENDIX D

FREQUENTLY ASKED FISCAL QUESTIONS & ANSWERS

Cash on Hand

1. What is the maximum allowed for Cash on Hand?

ANSWER: \$0. Grantee should request funds based upon immediate disbursement requirements. Funds are to be requested as project costs are incurred or anticipated. Grantee should time their drawdown requests to ensure that the cash on hand is the minimum for disbursements to be made immediately or within a few days. CPJAD will ask for the return of funds if the cash on hand is excessive and/or will not be expended in a timely manner.

2. For the final Request for Funds and Cash Balance Report (RFF) (AG/CPJAD #7), is it okay to leave a balance of more than \$0 in Part B.3. Ending Cash Balance?

ANSWER: No, any federal monies that were requested and not expended should be returned to CPJAD. The ending cash balance should be \$0 when submitting the final RFF report.

Time Sheets

1. Who is responsible for monitoring all of the time sheets completed by the staff paid with federal funds?

ANSWER: The Project Director and Financial Officer. The Project Director and the Financial Officer should have completed time sheets from all grant-funded staff to verify that the time spent by staff working on the project is consistent with the contract. During monitoring visits, the specialists are looking for whether the Financial Officer and Project Director are providing both cost and program management.

Allowable Cost

1. Can grant funds be obligated if the project period ends September 30, 2016 but the training will be held on October 15, 2016?

ANSWER: No. The project-funded activities (training) as well as the obligation must fall within the project period

Procuring Goods and Services and/or Health and Human Services

1. Are federal funds subject to state and/or county procurement rules?

ANSWER: Yes. State and county procurement rules are to be followed by the Grantee. While state and county procurement rules apply, additional federal rules for expenditures may also apply.

2. Is the Grantee subject to the purchasing policies of its own agency even though the policy may be higher than the federal requirements?

ANSWER: Yes, it could be. If the policy is an agency or department-wide policy that is implemented regardless of the source of the funds, then the policy shall apply to the federally-funded project as well.