State of Hawai'i

Department of the Attorney General

REQUEST FOR PROPOSALS:

RFP Number: AG-CPJAD-VAWA-2007-WF

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

September 25, 2008

Note: If this RFP was downloaded from the State Procurement Office RFP Website, each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, an RFP Interest form may be downloaded to your computer, completed and e-mailed or mailed to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

September 25, 2008

REQUEST FOR PROPOSALS
Victim Services for Adult Female Victims of Domestic Violence or Sexual Assault
RFP No. AG-CPJAD-VAWA-2007-WF

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, is requesting proposals from qualified applicants to enhance existing services or create new programs that provide victim services to adult female victims of domestic violence, sexual assault, dating violence, or stalking. The contract term will be for one year commencing December 1, 2008 or upon Notice to Proceed from the purchasing agency; extensions may be allowable.[1]

Sealed proposals (one original and five copies) must be postmarked (United States mail) before midnight on October 28, 2008 or hand delivered by 4:00 p.m., Hawaii Standard Time (HST), on October 28, 2008 to:

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 South Beretania Street, Suite 401
Honolulu, Hawaii 96813
Attention: Ms. Kathy Mitchell
RFP# AG-CPJAD-VAWA-2007-WF

Proposals postmarked (United States mail) after midnight on October 28, 2008 or hand delivered after 4:00 p.m., HST, on October 28, 2008 will not be considered and will be returned to the applicant unopened. There are no exceptions to this requirement.

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, will conduct an orientation on October 8, 2008 from 2:00 p.m. to 3:30 p.m., HST. The location of the orientation meeting will be at:

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

All prospective applicants are encouraged to attend the orientation. The deadline for submission of written questions is 4:30 p.m., HST, on October 20, 2008. All written questions will receive a written response from the State during the period of October 9--23, 2008.

Inquiries regarding this RFP should be directed to the RFP Contact Person, Ms. Kathy Mitchell, Criminal Justice Planning Specialist, 235 South Beretania Street, Suite 401, Honolulu, Hawaii 96813, or may be made by telephone to (808) 586-1389 or fax (808) 586-1373.

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1 The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the U.S Department of Justice, Office of Justice Programs, Office of the Comptroller, and subject to the availability of Federal funds. No state funds are available for a contract issued under this RFP.

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

NUMBER OF COPIES TO BE SUBMITTED: One original and Five copies

ALL MAIL-INS MUST BE POSTMARKED BY UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN October 28, 2008

All Mail-ins	**AG-CPJAD RFP COORDINATOR**
Department of Attorney General	Kathy Mitchell
Crime Prevention and Justice Assistance Division	For further information or inquiries
235 S. Beretania Street, Suite 401	Phone: 586-1389
Honolulu, Hawaii 96813-2427	Fax: 586-1373

ALL HAND DELIVERIES WILL BE ACCEPTED AT THE FOLLOWING SITE UNTIL 4:00 P.M., Hawaii Standard Time (HST) October 28, 2008.

Drop-off Site

Oahu:	**No available drop-off sites on the neighbor islands.**
Department of Attorney General, Crime Prevention and Justice Assistance Division Leiopapa A Kamehameha (State Office Tower) 235 S. Beretania Street, Suite 401 Honolulu, Hawaii 96813	All proposals must be postmarked by USPS no later than October 28, 2008.

BE ADVISED: All mail-ins postmarked by USPS after **October 28, 2008**, will be rejected.

Hand deliveries will **not** be accepted after **4:00 p.m., HST, October 28, 2008.**

Deliveries by private mail services such as FEDEX shall be considered hand deliveries and will not be accepted if received after **4:00 p.m., HST, October 28, 2008.**

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Section 1
Administrative Overview

Section 1
Administrative Overview

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

Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

RFP Organization

This RFP is organized into five sections:

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

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

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

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

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

Contracting Office

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

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 S. Beretania Street, Suite 401
Honolulu, Hawaii 96813-2427
Phone: (808) 586-1389 Fax: (808) 586-1373

Procurement Timetable

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

Activity	Scheduled Date
Public notice announcing RFP	September 25, 2008
Distribution of RFP	September 25, 2008
RFP orientation session	October 8, 2008
Closing date for submission of written questions for written responses	October 20, 2008
State purchasing agency's response to applicants' written questions	October 9-23, 2008
Proposal submittal deadline	October 28, 2008
Proposal evaluation period	October 29 – November 7, 2008
Provider selection	November 10 - 21, 2008
Notice of statement of findings and decision	November 24 - 28, 2008
Contract start date	December 1, 2008 **or** Upon Official Notice to Proceed

Orientation

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

Date: October 8, 2008 **Time:** 2:00 p.m. to 3:30 p.m.
Location: Leiopapa A Kamehameha (State Office Tower)
235 S. Beretania Street, Conference Room 302
Honolulu, Hawaii 96813

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state

purchasing agency's position. Official responses will be provided in writing or by email. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the next paragraph (Submission of Questions).

Submission of Questions

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

Deadline for submission of written questions:
Date: October 20, 2008 **Time:** 4:30 p.m., HST

State agency responses to applicant written questions will be provided**:**
Date: October 9-23, 2008

Submission of Proposals

A. Forms/Formats - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: www.spo.hawaii.gov, click *Procurement of Health and Human Services* and *For Private Providers.* Refer to the Proposal Application Checklist for the location of program specific forms and the order in which all components of the application should be assembled and submitted to the state purchasing agency.

1. **Proposal Application Identification (Form SPO-H-200)** - Provides identification of the proposal.

2. **Proposal Application Checklist –** Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.

3. **Table of Contents -** A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.

4. **Proposal Application (Form SPO-H-200A) -** Applicant shall submit comprehensive narratives that address all of the issues contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP.**)**

5. **Registration Form (SPO-H-100A) –** If applicant is not registered

with the State Procurement Office (business status), this form must be submitted with the application. If applicant is unsure as to their registration status, they may check the State Procurement Office website at: http://www.spo.hawaii.gov, click *Procurement of Health and Human Services*, and *For Private Providers* and *Provider Lists…The List of Registered Private Providers for Use with the Competitive Method of Procurement* or call the State Procurement Office at (808) 587-4706.

6. **Tax Clearance –** A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required either at the time of proposal submittal or upon notice of award at the discretion of the purchasing agency.

   Refer to Section 4, item III.A.1, Administrative Requirements, and the Proposal Application Checklist to see if the tax clearance is required at time of proposal submittal. The tax clearance application may be obtained from the Department of Taxation website at www.hawaii.gov/tax/tax.html.

7. **Certifications –** Federal and/or State certifications, as applicable (see Attachment C).

B. Program Specific Requirements - Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Application Instructions, as applicable. For Federal and/or State certifications, refer to the Proposal Application Checklist and Attachment B of this RFP.

C. Multiple or Alternate Proposals - Multiple or alternate proposals shall **not** be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.

D. Proposal Submittal - Proposals must be postmarked by USPS or hand delivered by the date and time designated on the Proposal Mail-In and Delivery Information Sheet attached to this RFP. Any proposal post-marked or received after the designated date and time shall be rejected. Note that postmarks must be by United States Postal Service or they will be considered hand-delivered and shall be rejected if late. The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Fax proposals, proposals submitted on diskette/CD, or proposals transmitted via email are **not** permitted.

E. Wages and Labor Law Compliance - Before a provider enters into a service contract in excess of $25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55, HRS may be obtained form the Hawaii State Legislature website at http://www.capitol.hawaii.gov/. Or go directly to: http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103/HRS_0103-0055.htm

F. Confidential Information – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

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

Discussions with Applicants

A. Prior to Submittal Deadline. Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements. Applicants are encouraged to submit written questions to the state purchasing agency for an official written response.

B. After Proposal Submittal Deadline - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

Opening of Proposals

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

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

Additional Materials and Documentation

Upon request from the state purchasing agency, each applicant shall submit

any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

RFP Amendments

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

Cancellation of Request for Proposal

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

Costs for Proposal Preparation

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

Provider Participation in Planning

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

Rejection of Proposals

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

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS, are parenthesized)

(1) Rejection for failure to cooperate or deal in good faith. (Section 3-141-201, HAR)

(2) Rejection for inadequate accounting system. (Section 3-141-202, HAR)

(3) Late proposals (Section 3-143-603, HAR)

(4) Inadequate response to request for proposals (Section 3-143-609, HAR)
(5) Proposal not responsive (Section 3-143-610 (1), HAR)
(6) Applicant not responsible (Section 3-143-610 (2), HAR)

Notice of Award

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

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

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

Protests

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website (see the Proposal Application Checklist in Section 5 of this RFP). Only the following matters may be protested:

(1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;

(2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and

(3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

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

Head of State Purchasing Agency	**Procurement Officer**
Name: The Honorable Mark J. Bennett	Name: Lari Koga
Title: Attorney General	Title: Administrator, CPJAD
Mailing Address: 425 Queen Street, Honolulu, HI 96813	Mailing Address: 235 South Beretania Street, Suite 401, Honolulu, HI 96813
Business Address: 425 Queen Street, Honolulu, HI 96813	Business Address: 235 South Beretania Street, Suite 401, Honolulu, HI 96813

Availability of Funds

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the U.S Department of Justice, Office of Justice Programs, Office of the Comptroller, and subject to the availability of Federal funds. No state funds are available for a contract issued under this RFP.

Monitoring and Evaluation

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

(1) Performance/Outcome Measures

(2) Output Measures

(3) Quality of Care/Quality of Services

(4) Financial Management

(5) Administrative Requirements

General and Special Conditions of Contract

The general conditions that will be imposed contractually are on the SPO website. (See Section 5, Proposal Application Checklist for the address). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

Cost Principles

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website (see Section 5, Proposal Application Checklist). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

The contractor agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide (see website: http://www.ojp.usdoj.gov).

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Section 2
Service Specifications

Section 2
Service Specifications

I. Introduction

A. Overview

The Governor of the State of Hawaii designated the Department of the Attorney General, State of Hawaii ("Department") to be the administrator for the STOP (Services-Training-Officers-Prosecutors) Violence Against Women Formula Grant Program. The STOP Program is administered by the Office on Violence Against Women (OVW), U.S. Department of Justice.

STOP grants lay the foundation for on-going efforts to restructure and strengthen the criminal justice response to reduce violence against women. The emphasis of the STOP Program continues to be on the implementation of comprehensive strategies addressing violence against women that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes. States are encouraged to carry out these strategies by forging lasting partnerships between the criminal justice system and victim advocacy organizations and by encouraging communities to look beyond traditional resources and to look to new partners, such as faith-based and community organizations, to respond more vigorously to domestic violence, sexual assault, and stalking crimes. The STOP Program requires and encourages collaboration among victim service providers, faith-based and community-based organizations, prosecutors, and police – those who encounter victims of domestic and sexual violence. The STOP Program was initially authorized under the Violence Against Women Act of 1994 and reauthorized and amended by the Violence Against Women Act 2000 and Violence Against Women Act 2005 (VAWA 2005). Several significant changes were made in the VAWA 2005 and are attached at the end of this section.

States must allocate 25 percent of the VAWA funds to law enforcement, 25 percent to prosecution, 5 percent to the Judiciary, and 30 percent to victim services of which at least 10 percent shall be distributed to culturally specific community-based organizations. The remaining 15 percent may be allocated at the State's discretion within the parameters of the VAWA.

The funding for this RFP represents the allocation for non-profit victim services and no match is required, but may be made on a voluntary basis. However, discretionary funds may be awarded under this solicitation. If discretionary funds are allocated to fund a project or supplement funding for a project, then a 25

percent match shall be required for only discretionary allocation.[2]

Stop Formula Grant Program – Federal Priorities

In shaping strategies, the Office on Violence Against Women (OVW) has set two overarching federal priorities in using the STOP Program funds. States are encouraged to develop and support projects to:

- implement community-driven initiatives, utilizing faith-based and community organizations, to address the needs of underserved populations as defined by VAWA, including people with disabilities and elder victims of domestic violence, sexual assault, and stalking.

- address sexual assault and stalking through service expansion; development and implementation of protocols; training for judges, other court personnel, prosecutors, and law enforcement; and development of coordinated community responses to violence against women.

Federal Statutory Eligibility Requirements of VAWA 2005

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

1. **Consultation with Victim Services Programs** – Tribes, local prosecution, law enforcement, and courts must consult with local victim services programs during the course of developing their grant applications in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

2. **Non-disclosure of Confidential or Private Information** – In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, subgrantees shall protect the confidentiality and privacy of persons receiving services.

2 The allocation for nonprofit/non-governmental applicants is currently exempt from the match requirement. For law enforcement, prosecution, courts, and discretionary applicants, VAWA STOP funds may not be used to pay more than 75% of the costs for proposed projects. The remaining 25% must be provided by the applicant, in cash or in-kind. All funds designated as match are restricted to the same uses as the VAWA STOP Program funds and must be expended in the same period. Match cannot be derived from other Federal Funds.

Subgrantees shall not disclose or reveal –

a) Any personally identifying information or individual information collected in connection with services requested, utilized, or denied through subgrantees' programs; or

b) Individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of persons with disabilities, the guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, person with disabilities, or the abuser of the other parent of the minor.

If release of information is compelled by statutory or court mandate subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information and shall take steps necessary to protect the privacy and safety of the person affected by the release of the information.

Subgrantees may share –

a) Non-personally identifying data in the aggregate regarding services to their clients and non-personally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation or data collection requirements;

b) Court-generated information and law-enforcement generated information contained in secure, governmental registries for protection order enforcement purposes; and

c) Law enforcement and prosecution-generated information necessary for law enforcement and prosecution purposes.

3. **Filing Costs for Criminal Charges and Protection Orders** –Victims will not be charged a fee to file misdemeanor or felony criminal charges against the offender in a domestic violence offense. Victims will not pay any costs associated with the filing, issuance, registration, or services of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside the state, tribal, or local jurisdiction for protection against domestic violence, sexual assault, or stalking.

   Hawaii Revised Statutes §607-2.5 meets this federal statutory requirement.

4. **Forensic Medical Examination** - The state, Indian tribal government, unit of local government or another governmental entity shall incur the full out-of-

pocket cost of forensic medical exams for victims of sexual assault.

Forensic medical exams are performed by trained examiners for victims of sexual assault and do not require victims of sexual assault to pay or seek reimbursement for the exam from their insurance carriers.

By January 5, 2009, the state, Indian tribal government, unit of local government or another governmental entity will not require victims of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic exam, reimbursement for the cost of the exam, or both.

The State is currently addressing how the State of Hawaii will meet the federal statutory eligibility requirement.

5. **Judicial Notification** – The State of Hawaii and local judicial administrative policies and practices include notification to domestic violence offenders of Federal, State, or local gun laws no later than January 5, 2008.

   The State of Hawaii meets this federal statutory requirement pursuant to Hawaii Revised Statutes §134-7.

6. **Polygraph Testing Prohibition** - A state or territory must certify: that not later than January 5, 2009, their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, Tribal, State, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. The refusal of a victim to submit to an examination shall not prevent the investigation, charging, or prosecution of the offense.

Limitations on STOP Program Funding

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

- Children's services supported by STOP Program funds must show an inextricable link and be the direct result of providing services to an adult victim of violence against women. For example, STOP Program funds may support the expansion of battered women's shelter services to include programs for children of the battered women residing in the shelter.

- Services may be provided to adolescents age 14 and older who are 1) victims of dating violence, or 2) sexually assaulted by a person who is *not* a family or household member.

- Male victims may receive services under a STOP Program funded project as long as the agency's primary focus is on efforts to stop violence against women.

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

STOP Program funds may not be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the 14 broad Purpose Areas for which STOP Program funds may be used.

STOP Program funds may not be used to support services that focus exclusively on children or to develop sexual assault, domestic violence, stalking or dating violence prevention curricula.

Additionally, STOP Program funds may not support legal or defense services for perpetrators.

Activities That May Compromise Victim Safety

Ensuring victim safety is the guiding principle underlying the STOP Violence Against Women Formula Grant Program. Experience has shown that certain practices may compromise victim safety rather than enhance it. Certain responses by the authorities may have the effect of minimizing or trivializing the offender's criminal behavior. Accordingly, consistent with the goals of ensuring victim safety while holding perpetrators accountable for their criminal conduct, applicants are strongly discouraged from proposing projects that include any activities that may compromise victim safety such as the following:

- Offering perpetrators the option of entering pre-trial diversion programs.
- Mediation or counseling for couples as a systemic response to domestic violence or sexual assault.
- Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings.
- Court mandated batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior.
- Placement of batterers in anger management programs.
- Procedures that would force victims of domestic violence to testify against

their abusers or impose other sanctions on them. Rather, procedures that provide victims the opportunity to make an informed choice about whether to testify are encouraged.

VAWA Statutory Purpose Areas: *To be eligible for funding under the Violence Against Women Act, applicants must design projects that fall within at least one of 14 authorized Purpose Areas established by Congress*.

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence.
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence.
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence.
5. Developing, enlarging, or strengthening victim services programs, including sexual assault, domestic violence, and dating violence programs; developing or improving delivery of victim services to underserved populations; providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence.
6. Developing, enlarging, or strengthening programs addressing stalking.
7. Developing, enlarging, or strengthening programs that address the needs and circumstances of Indian tribes dealing with violent crimes against women, including the crimes of sexual assault and domestic violence.
8. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim service agencies, and other state agencies and departments to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
9. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
10. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older

and disabled women who are victims of sexual assault or domestic violence, including recognizing, investigating, and prosecuting instances of such assault or violence and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.

11. Providing assistance to victims of sexual assault and domestic violence in immigration matters.

New VAWA Statutory Purpose Areas under VAWA 2005:

12. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
13. Supporting the placement of special victim assistants (to be known as "Jessica Gonzales Victim Assistants") in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities –
    a. developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;
    b. notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
    c. referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
    d. taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order; and
14. To provide funding to law enforcement agencies, nonprofit nongovernmental victim service providers, and State, tribal, territorial, and local governments, (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote –
    a. the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as "Crystal Judson Victim Advocates", to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel:
    b. the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police ("Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project'' July 2003));
    c. the development of such protocols in collaboration with State, tribal,

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

B. State VAWA Planning Committee Priorities

To be eligible for STOP grant funds, eligible states must develop and submit a *VAWA Implementation Plan* for approval to the Office of Justice Programs (OJP). States are required to develop their Implementation Plans through deliberative consultation and coordination with a broad range of participants, including private, nonprofit victim service programs (such as sexual assault and domestic violence victim service programs) and victim advocates.

The Implementation Plan includes an overview of the process used to develop the plan, documentation from participating organizations regarding their involvement in the development and implementation of the plan; major shifts in direction, because of reevaluation or reassessment of previous efforts; a general explanation of how the VAWA funds will be distributed across law enforcement, prosecution, and victim services categories; and a description of how the success of grant-funded activities will be evaluated. The Implementation Plan identifies the funding priorities for the VAWA grant funds and the types of programs and projects the State intends to support with VAWA grant dollars.

The Department of the Attorney General convened the *VAWA State Planning Committee* to help develop the annual Implementation Plan. The committee consists of thirteen members with representation from law enforcement, prosecution, domestic violence and sex assault service providers, immigrant services, Family Court, U.S. Attorney's Office, Hawaii State Commission on the Status of Women, and the Attorney General.

Developed in December 2001, the *FY 2001 Strategic Plan for the STOP Violence Against Women Formula Grant* provided a more redefined approach to the current efforts undertaken over the past five years. Initiated by a formal strategic planning session begun in May 2001, the VAWA State Planning Committee sought a long-range plan that would provide increased accountability and offer a "road map" for statewide action over the next three to five years for VAWA and other funding needs. This effort brought about the identification of issues and concerns across the different systems

addressing domestic violence and sexual assault, as well as funding resources available to victims.

The Committee established a multi-year implementation plan to provide increased consistency and accountability and offer a longer range "road map" for statewide action for VAWA and other funding that address domestic and sexual violence issues. To review the complete plan and a description of the funding priorities access hawaii.gov/ag/cpja and click on Grants & Planning, scroll down to access the State of Hawaii Strategic Plan For The STOP Violence Against Women Formula Grant FY 2008 – 2011.

The *FY 2008-2011 Strategic Plan for the STOP Violence Against Women Formula Grant* represents the eighth year of the implementation plan and sets forth program priorities of the State VAWA Planning Committee members. As in previous years, the allocations for police, prosecutors, and victim service providers continue with exception of the victim services allocation. The provisions in VAWA 2005 now includes a 10 percent set aside for culturally specific services (25 percent - law enforcement, 25 percent - prosecution, 5 percent - Judiciary, and 30 percent - non-profit victim services of which at least 10 percent is set aside for culturally specific community-based organizations, and 15 percent discretionary).

C. Description of the Goals of the Service

The Department of the Attorney General, State of Hawaii, is soliciting proposals from qualified entities to develop, enhance and provide victim services to adult female victims of domestic violence, dating violence, sexual assault, or stalking.

D. Description of the Target Population To Be Served

The focus of services is for adult female victims of domestic violence, dating violence, sexual assault, or stalking. Services to children must show an inextricable link and be the direct result of providing services to an adult victim. Services may be provided to adolescents age 14 or older who are: 1) victims of dating violence, or 2) sexually assaulted by a person who is not a family or household member. Similarly situated male victim(s) in need who requests services may be eligible under VAWA as long as the agency's primary focus is on efforts to stop violence against women.

E. Geographic Coverage of Service

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

services in the service areas for which it is applying.

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

Total Funding: $249,658 (of which at least 10 percent or $24,965 must be set aside for culturally specific services)[3]

Source of Funding: U.S. Department of Justice, Office of Justice Programs, FY 2007 STOP Violence Against Women Formula Grant, Federal funds.

Match: No match is required for victim services allocation **unless** discretionary funds are used to fund a project (voluntary in-kind match accepted for victim services allocation).

Availability Period: December 1, 2008 – November 30, 2009[4]
or Upon Notice to Proceed.

II. General Requirements

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

1. The APPLICANT shall be a non-profit, nongovernmental victim services agency. Faith-based organizations are also eligible to apply. ALL applicants shall comply with provisions set forth in 28 C.F.R. pt. 38 (available online at www.usdoj.gov/fbci/reginfo.html).

2. The APPLICANT shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/1/98), which can be found on the SPO website (See Section 5, POS Proposal Checklist, for the website address).

3. The APPLICANT shall comply with the guidelines set forth in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 3796 et seq., as amended, and all applicable federal regulations and guidelines, including but not limited to Office of Management and Budget Guidance Manual entitled "Financial and Administrative Guide for Grants."

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

4 The current end date for the 2007 STOP Formula Grant is February 28, 2009. The State will be requesting an extension to adjust the end date to November 30, 2009. The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, and subject to the availability of Federal funds. No state funds are available for a contract issued under this RFP.

4. The APPLICANT shall develop and maintain fiscal, statistical, and administrative records pertaining to services as specified by the Department.

5. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Drug-Free Workplace Requirements which meets the requirements of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D), hereinafter referred to as the "Drug-Free Workplace Certification."

6. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Debarment, Suspension Ineligibility and Voluntary Exclusion, hereinafter referred to as the "Debarment Certification."

7. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Lobbying, hereinafter referred to as the "Lobbying Certification," and any subsequent disclosure forms required under Section 1352, Title 31 U.S.C.

8. The APPLICANT shall comply with the non-discrimination requirements of the Act, Title VI of the Civil Rights Act of 1964 (with respect to race, sex, religion, creed, national origin), Title VII of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973 (handicap), as amended, Title IX of the Education Amendments of 1972 (race, sex, religion, creed, national origin), the Age Discrimination Act of 1975 (age), Executive Order 12138, 44 C.F.R. 29637 (affirmative action for women's business), the United States Department of Justice Non-Discrimination Regulation, 28 C.F.R. Part 42, Subparts C, D, E and G, the Americans with Disabilities Act of 1990 42 U.S.C. §§ 12101 et seq., and the Hawaii State Fair Employment Practices Act, Chapter 378, Hawaii Revised Statutes, and all other applicable federal, state and local laws, rules and regulations.

9. The APPLICANT shall complete, execute and submit to the Department a Certification of Non-Supplanting hereinafter referred to as the "Non-supplanting Certification." The APPLICANT assures the Department that federal funds provided pursuant to a contract awarded under this RFP, will be used to supplement existing funds for program activities and not replace (supplant) nonfederal funds that have been appropriated for the same purpose.

10. The APPLICANT shall complete, execute and submit to the Department an Acceptance of Conditions hereinafter referred to as the "Acceptance of Conditions Certification."

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

No planned secondary purchasers.

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

☒ Allowed ☐ Not Allowed

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

☐ Single ☐ Multiple ☒ Single & Multiple

There is no predetermined number of contracts to be awarded.

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

☒ Single term (< 2 yrs) ☐ Multi-term (> 2 yrs)

F. RFP contact person

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section I, Item IV (Procurement Timetable) of this RFP.

Contact Person: Ms. Kathy Mitchell at (808) 586-1389, fax (808) 586-1373, or email: Kathleen.M.Mitchell@hawaii.gov

III. Scope of Work

The scope of work encompasses the following tasks and responsibilities:

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

The State requests proposals to: 1) develop, enhance and/or provide core services for adult female victims of domestic violence, sexual assault, or stalking; 2) adult or teen dating violence; or 3) develop and provide linguistically and culturally specific community-based services that benefit adult female victims of domestic violence, dating violence, sexual assault, or stalking.

1. Core services may include, but are not limited to the following:
   - ☐ Advocacy
   - ☐ Case Management
   - ☐ Counseling
   - ☐ Crisis Response
   - ☐ Services to special populations including disabled, immigrant, and victims with substance abuse or mental health issues
   - ☐ Legal Assistance (Note: STOP funds may be used to provide civil justice assistance only in cases that bear directly and substantially on criminal justice matters. Because it is consistent with the overall intent of the VAWA statute, legal assistance to victims attempting to obtain civil protection orders may be supported. However, STOP funds may not be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the eleven broad purposes for which STOP funds may be used.)
   - ☐ Shelter
   - ☐ Transitional services
   - ☐ Training for law enforcement
   - ☐ Training for prosecutors
   - ☐ Training for other criminal justice providers, including the judiciary
   - ☐ Multi-disciplinary training (e.g. substance abuse, mental health) for victim service and health care providers.

2. Linguistically and culturally specific community-based services that address domestic violence, dating violence, sexual assault, or stalking (Example: A nonprofit, non-governmental victim services organization whose primary focus is to meet the specialized needs of linguistically and culturally specific population groups by providing services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms. This does not include mainstream organizations with a bi-cultural/bi-lingual advocate on staff).[5]

   The applicant must demonstrate it has the expertise in the development of community-based, linguistically and culturally specific outreach and intervention services relevant for the specific communities to whom assistance would be provided or have the capacity to link to existing services in the community tailored to the needs of culturally specific populations; and have an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

5 See Section IV. Definitions Applicable to the VAWA Program. See also the definition for community-based organization and linguistically and culturally specific services.

Problem Statement: The APPLICANT must clearly define the problem the agency is proposing to address and the services the agency proposes to deliver. Include data that define the size and scope of the problem. Explain the impact of the problem on your agency, system, or community. Explain how this problem is either not addressed or is not adequately addressed in the current service delivery system. Include supporting hard data.

Target population: The problem statement should identify the target population to be served, the number of individuals to be served and the geographic area(s) to be served.

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

APPLICANTS must describe, in detail, the services they are proposing to develop and deliver. Provide a clear, detailed description of the proposed project activities, broken down into phases or tasks. Where appropriate, include a timeline showing the amount of time necessary to complete each task. APPLICANTS must include a description of any outreach materials, videos, training tools or manuals that may result from this project. APPLICANTS must clearly state the goals, objectives and activities of the project service delivery plan. Goals, objectives, and activities must be logically linked to each other and to output and performance measurements.

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

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

Activities: State the methods that will be utilized to achieve the objectives. Include a timeline, activities, staffing (number and type), equipment (description and justification), clients to be served, client selection criteria, description of training or technical

assistance required, project schedule, an outline of available resources, etc. Program activities must be developed within the confines of the project's resources.

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

1) Personnel

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

2) Administrative

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

3) Quality assurance and evaluation specifications

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

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

4) Output and performance/outcome measurements

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

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

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

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

5) Reporting requirements for program and fiscal data

a. Required Program Reports:

1. The APPLICANT shall submit six month progress reports and a final progress report at the end of the project summarizing and analyzing required outcome data and reports on accomplishments and challenges. The report should:

   - ☐ Include a brief description of the program.
   - ☐ List each goal and objective, and describe the progress made towards achieving each.
   - ☐ Describe the program activities to date.
   - ☐ Report performance indicators that document the accomplishment of the objectives.
   - ☐ Describe how the project impacted/improved the criminal justice system.
   - ☐ Describe any problems encountered, how they impacted the program and how they were resolved.

2. Progress reports are due one month after the end of the reporting period.

3. The APPLICANT shall complete and submit a STOP Annual Report as required by the Office on Violence Against Women.

b. Required Fiscal Reports

1. The APPLICANT must maintain accounting procedures and practices acceptable to the Department, and books, records, documents and other evidence which sufficiently and properly reflect all direct and indirect expenditures and all interest or other

income earned as the result of funds provided pursuant to the contract awarded pursuant to this RFP.

2. Any funds provided pursuant to a contract awarded under this RFP which are unencumbered on the date the project terminates shall be returned to the Department; all funds provided under the contract awarded pursuant to this RFP which are encumbered but not disbursed within sixty (60) days after the project terminates shall be returned to the Department.

3. The APPLICANT must submit a *Request for Funds and Cash Balance Report* by the 15th of each month.

4. The APPLICANT must submit a *Project Expenditure & Obligations Report* by the 15th of April, July, October, and January.

5. The source of funding for this grant is federal funds and the provision of Hawaii Revised Statutes, Sections 29-15 and 29-15.5 shall apply.

6) Pricing or pricing methodology to be used

The method of pricing shall be reimbursement of actual expenditures.

IV. DEFINITIONS APPLICABLE TO THE VAWA PROGRAM

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

Community-Based Organization – The term "community-based organization" means an organization that –

a) focuses primarily on domestic violence, dating violence, sexual assault, or stalking *(Example: A nonprofit, nongovernmental victim services organization that provides services to victims of violence against women through shelter, advocacy and safety planning.);*

b) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking *(Example: A nonprofit, nongovernmental victim services organization whose primary focus is to meet the specialized needs of linguistically and culturally specific population groups by providing services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms. This does not include mainstream organizations with a bi-cultural/bi-lingual advocate on staff.)*;

c) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking *(Example: A nonprofit, nongovernmental victim services organization that primarily focuses on providing services to Filipina victims of violence against women.);* or

d) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration *(Example: A faith-based organization that provides shelter services to homeless women and their families may apply for STOP Program funds to support a domestic violence advocate that collaborates with a County's Victim Assistance Program to provide safety planning, advocacy, and support group services to victims of domestic violence.)*

Dating Violence – the term "dating violence" means violence committed by a person –

a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

b) where the existence of such relationship shall be determined based on a consideration of the following factors:
   1. The length of the relationship
   2. The type of relationship
   3. The frequency of interaction between the persons involved in the relationship

Domestic Violence – the term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies.

Linguistically and Culturally Specific Services – the term "linguistically and culturally specific services" means community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities.

Personally Identifying Information or Personal Information – the term "personally identifying information" or "personal information" means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including –

a) a first and last name;
b) a home or other physical address;
c) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
d) a social security number; and
e) any other information, including date of birth, racial or ethnic background or religious affiliation that in combination with any of subparagraphs (a) through (d), would serve to identify any individual.

Sexual Assault – the term "sexual assault" means any conduct proscribed by chapter 109A of Title 181, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim.

Stalking – The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

a) fear for her or his safety or the safety of others; or
b) suffer substantial emotional distress

Underserved Populations – the term "underserved populations" includes populations underserved because of geographic location (such as rural isolation), underserved racial or ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

Victim Services or Victim Service Provider – the term "victim services" or "victim services provider" means a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

Section 3

Proposal Application Instructions

Section 3
Proposal Application Instructions

General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*

- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*

- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section.* ***See sample Table of Contents***

- ***DO NOT*** *put proposals in a three ring binder.*

- *Tabbing of sections (Recommended).*

- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*

- *A written response is required for each item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*

- *Applicants are strongly encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*

- *This form (SPO-H-200A) is available on the SPO website (for the website address see the Proposal Application Checklist in Section 5, Attachments). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Background and Summary*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*

I. Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the proposal in such a way as to provide the State with a broad understanding of the entire proposal. Include a brief description of the applicant's organization, the goals and objectives related to the service activity, and how the proposed service is designed to meet the problem/need identified in the service specifications. *The applicant must clearly state if the application is to provide linguistically and culturally specific services and identify the target population along with the rest of the service specifications as outlined in this RFP.*

II. Experience and Capability

A. Necessary Skills and Experience

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

The applicant must demonstrate it has the expertise in the development of community-based, linguistically and culturally specific outreach and intervention services relevant for the specific communities to whom assistance would be provided or have the capacity to link to existing services in the community tailored to the needs of culturally specific populations; and have an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

B. Quality Assurance and Evaluation

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

C. Coordination of Services

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

D. Facilities

The applicant shall provide a description of its facilities and demonstrate their adequacy in relation to the proposed services. If facilities are not presently

available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable, and special equipment that may be required for the services.

III. Personnel: Project Organization and Staffing

A. Proposed Staffing

The applicant shall describe the proposed staffing pattern, client/staff ratio, and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

B. Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable.)

C. Supervision and Training

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

D. Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the "Organization-wide" and "Program" organization charts shall be attached to the POS Proposal Application.

IV. Service Delivery: Follow the instructions in Section 2., Item III. Scope of Work.

The Service Delivery Section shall include a detailed discussion of the problem, including the present status of activities by the applicant or other law enforcement agencies regarding the problem. This section should clearly justify the reasons the project is needed. If this is a continuation project, describe the results of the previous project period.

Describe the applicant's approach to applicable service activities and management requirements from Section 2, Item III. Scope of Work, including (if indicated) the problem the agency is proposing to address, hard data that describes the size and scope of the problem, a work plan of the program goals, objectives and all services activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules, and output and performance/outcome measurements as applicable.

V. Financial

A. Pricing Structure

The applicant shall submit a cost proposal utilizing the pricing structure designated by the state purchasing agency. The cost proposal shall be attached to the POS Proposal Application.

1) Pricing Structure Based on Cost Reimbursement

The cost reimbursement pricing structure reflects a purchase arrangement in which the State pays the contractor for budgeted costs that are actually incurred in delivering the services specified in the contract, up to a stated maximum obligation.

All budget forms, instructions, and samples are located on the SPO website (see the Proposal Checklist in Section 5 for website address). The following budget form(s) shall be submitted with the POS Proposal Application: SPO-H-205; SPO-H-205A; SPO-H-206A; SPO-H-206B; SPO-H-206C; SPO-H-206F; SPO-H-206H; SPO-H-206I.

B. Other Financial Related Materials

1) Accounting System

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the POS Proposal Application: (1) a copy of the organization's most recent (within the last three year period) financial audit.

VI. Other

A. Litigation

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

Section 4

Proposal Evaluation

Section 4

Proposal Evaluation

I. Introduction

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

II. Evaluation Process

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

The evaluation will be conducted in three phases as follows:

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

Evaluation Categories and Thresholds

Evaluation Categories		**Possible Points**
Administrative Requirements		
Proposal Application		**100 Points**
Background and Summary	5 points	
Experience and Capability	20 points	
Project Organization and Staffing	15 points	
Service Delivery	50 points	
Financial	10 Points	
TOTAL POSSIBLE POINTS		**100 Points**

III. Evaluation Criteria

A. Phase 1 - Evaluation of Proposal Requirements

(1) Administrative Requirements

Application Checklist
Registration Form SPO-H-100A (if not already pre-registered with the State Procurement Office)

(2) POS Proposal Application Requirements

Proposal Application Identification Form (SPO-H-200)
Table of Contents
Background and Summary
Experience and Capability
Project Organization and Staffing
Service Delivery
Financial (all required forms and documents)
Program Specific Requirements (as applicable)

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

(1) Background and Summary (5 Points)

- The applicant has demonstrated a thorough understanding of the purpose and scope of the service activity.
- The goals and objectives are in alignment with the proposed service activity.
- The applicant has described how the proposed service is designed to meet the pertinent issues and problems related to the service activity.

(2) Experience and Capability (20 Points)

The State will evaluate the applicant's experience and capability relevant to the proposal contract that shall include:

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

resources in the community.
- Adequacy of facilities relative to the proposed services.

(3) Project Organization and Staffing (15 Points)

The State will evaluate the applicant's overall staffing approach to the service that shall include:

- That the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.
- Minimum qualifications (including experience) for staff assigned to the program.
- Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- Organization Chart: Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks.

(4) Service Delivery (50 Points)

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application. The evaluation criteria may also include an assessment of the problem the agency is proposing to address, hard data which describe the size and scope of the problem, the logic of the work plan for the project goal, objectives, service activities and tasks to be completed, including clarity in work assignments and responsibilities, and the realism of the timelines and schedules, and assessment of output and performance/outcome measurements as applicable. See Section 2., III. Scope of Work.

(5) Financial (10 Points)

<u>Pricing structure based on cost reimbursement:</u>

- Personnel costs are reasonable and comparable to positions in the community.

- Non-personnel costs are reasonable and adequately justified.

- The budget supports the scope of service and requirements of the Request for Proposal.

- Adequacy of accounting system.

C. Phase 3 - Recommendation for Award

The Evaluation Committee will prepare a Notice of Award, which shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Section 5

Attachments

Section 5 Attachments

A. Competitive Proposal Application Checklist

B. Sample Proposal Table of Contents

C. Certifications

Certification of Non-Supplanting

Acceptance of Conditions

Certification of Non-Discrimination

Certification Regarding Drug-Free Workplace

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Certification Regarding Lobbying

Attachment A

Proposal Application Checklist

Proposal Application Checklist

Applicant: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the state purchasing agency as part of the Proposal Application. *SPO-H forms are located on the web at http://www.spo.hawaii.gov Click *Procurement of Health and Human Services* and *For Private Providers.**

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
General:				
Proposal Application Identification Form (SPO-H-200)	**Section 1, RFP**	**SPO Website***	**X**	
Proposal Application Checklist	**Section 1, RFP**	**Attachment A**	**X**	
Table of Contents	**Section 5, RFP**	**Section 5, RFP**	**X**	
Proposal Application (SPO-H-200A)	**Section 3, RFP**	**SPO Website***	**X**	
Registration Form (SPO-H-100A)	**Section 1, RFP**	**SPO Website***	**(Required if not Registered)**	
Tax Clearance Certificate (Form A-6)	**Section 1, RFP**	**Dept. of Taxation Website (Link on SPO website)***	**X**	
Cost Proposal (Budget)			**X**	
SPO-H-205	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-205A	**Section 3, RFP**	**SPO Website* Special Instructions is applicable, Section 5**	**X**	
SPO-H-205B	**Section 3, RFP,**	**SPO Website* Special Instructions, Section 5**		
SPO-H-206A	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206B	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206C	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206D	**Section 3, RFP**	**SPO Website***		
SPO-H-206E	**Section 3, RFP**	**SPO Website***		
SPO-H-206F	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206G	**Section 3, RFP**	**SPO Website***		
SPO-H-206H	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206I	**Section 3, RFP**	**SPO Website***	**X**	
SPO-H-206J	**Section 3, RFP**	**SPO Website***		
Federal Certifications				
Non-Supplanting	**Section 2, RFP**	**Section 5, RFP**	**X**	
Acceptance of Conditions	**Section 2, RFP**	**Section 5, RFP**	**X**	
Non-Discrimination	**Section 2, RFP**	**Section 5, RFP**	**X**	
Drug Free Workplace	**Section 2, RFP**	**Section 5, RFP**	**X**	
Debarment and Suspension	**Section 2, RFP**	**Section 5, RFP**	**X**	
Lobbying	**Section 2, RFP**	**Section 5, RFP**	**X**	

_____ Authorized Signature

_____ Date

Attachment B

Sample Table of Contents for the Proposal Application

SAMPLE

Proposal Application Table of Contents

I. Program Overview 1

II. Experience and Capability 1
- **A.** Necessary Skills 2
- **B.** Experience 4
- **C.** Quality Assurance and Evaluation 5
- **D.** Coordination of Services 6
- **E.** Facilities 6

III. Project Organization and Staffing 7
- **A.** Staffing 7
  1. Proposed Staffing 7
  2. Staff Qualifications 9
- **B.** Project Organization 10
  1. Supervision and Training 10
  2. Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)

IV. Service Delivery 12

V. Financial 20
See Attachments for Cost Proposal

VI. Litigation 20

VII. Attachments
- **A. Cost Proposal**
  - SPO-H-205 Proposal Budget
  - SPO-H-206A Budget Justification - Personnel: Salaries & Wages
  - SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits
  - SPO-H-206C Budget Justification - Travel: Interisland
  - SPO-H-206E Budget Justification - Contractual Services – Administrative
- **B. Other Financial Related Materials**
  - Financial Audit for fiscal year ended June 30, 2007
- **C. Federal Certifications** Program Organization-wide
- **D. Program Specific Requirements**

Attachment C

Certifications

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-SUPPLANTING

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

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

AG/CPJAD #3 06/02

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

ACCEPTANCE OF CONDITIONS

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

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

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

AG/CPJAD #14A (8/96)

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION

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

- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP and COPS funded programs or activities. (42 U.S.C. §3789d and 28 C.F.R. §42.201 et seq.)
- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities. (42 U.S.C. §2000d and 28 C.F.R. §42.101 et seq.)
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs or activities. (29 U.S.C. §794 and 28 C.F.R. §42.501 et seq.)
- Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities. (42 U.S.C. §10604)
- Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP or COPS funded programs or activities. (42 U.S.C. §12132 and 28 C.F.R. Pt. 35)
- Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs. (20 U.S.C. §1681 and 34 C.F.R. Pt. 106)
- The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities. (42 U.S.C. §6102 and 28 C.F.R. §42.700 et seq.)
- Executive Order No. 13166 prohibiting discrimination of Limited English Proficient Persons.
- Executive Order No. 13279 regarding equal protection of the laws for faith-based organizations. (28 C.F.R. pt. 38)

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

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

AG/CPJAD #15 12/07

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 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 of 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: _____

AG/CPJAD #16 06/02

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

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

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

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature Date

Name of Organization

Address of Organization

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or 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

CERTIFICATION REGARDING LOBBYING

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

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

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

(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here ___ and complete and submit Standard Form # LLL, A Disclosure of Lobbying Activities, in accordance with its instructions.

(3) Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the U.S. Department of Justice, Office of Justice Programs.

(4) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

_____	_____
Name and Address of Organization	Name of Authorized Individual Signature and date
_____	Office on Violence Against Women
Application No.	Name of OJP Agency

AG/CPJAD #22 Rev. 08/05