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## CALIFORNIA EMERGENCY MANAGEMENT AGENCY

January 8, 2010

TO: Presiding Judges  
Court Executive Officers

RE: Request for Proposal Fiscal Year 2010-2011, Parolee Reentry Court Program

The California Emergency Management Agency (Cal EMA) is soliciting proposals from qualified applicants to establish and/or enhance parolee reentry courts designed to divert parole violators from prison through the use of collaborative courts, such as drug and mental health courts, which provide enhanced supervision and services to parolees. Approximately \$9,500,000 is available to fund up to seven (7) reentry courts through the Parolee Reentry Court Program.

Proposals will be rated and ranked competitively. Applicants should read the Request for Proposal (RFP) carefully to ensure proposals written contain the required elements. Please refer to the RFP for the proposal due date and submission options.

The funding cycle for this program is two and one-half years beginning March 1, 2010 and ending September 30, 2012. A non-competitive reapplication for continuation of funding must be submitted after each twelve month period throughout the two and one-half year funding cycle.

If you have any questions regarding this process, please do not hesitate to contact John Thomas, Program Specialist, Crime Suppression Section, by fax at (916) 323-1756 or e-mail at [john.thomas@oes.ca.gov](mailto:john.thomas@oes.ca.gov).

Sincerely,

Brendan A. Murphy  
Director of Grants Management

**PAROLEE REENTRY COURT PROGRAM  
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[BJA Justice Assistance Grant Program Performance by Activity](#)

[California ARRA & Accountability Tool \(CAAT\) Subrecipient Reporting of OMB Data for Recovery JAG Programs](#)

**PAROLEE REENTRY COURT PROGRAM  
PART I – OVERVIEW**

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- A. INTRODUCTION
  - B. CONTACT INFORMATION
  - C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS
  - D. ELIGIBILITY
  - E. FUNDS
  - F. PROGRAM INFORMATION
- 

A. INTRODUCTION

This Request for Proposal (RFP) provides the information and forms necessary to prepare a proposal for California Emergency Management Agency (Cal EMA) grant funds. The terms and conditions described in this RFP supersede previous RFPs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*.

B. CONTACT INFORMATION

Questions concerning this RFP, the proposal process, or programmatic issues should be submitted by fax, or e-mail to:

John Thomas, Criminal Justice Specialist  
California Emergency Management Agency  
Crime Suppression Section  
3650 Schriever Avenue  
Mather, CA 95655  
[john.thomas@oes.ca.gov](mailto:john.thomas@oes.ca.gov)  
Fax: (916) 323-1756

Cal EMA staff cannot assist the applicant with the actual preparation of its proposal. During the period of time between the publication date of the RFP and the date the competitive proposal is due, Cal EMA can only respond to technical questions about the RFP.

C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS

**One original and three copies** of the proposal must be delivered to Cal EMA’s Law Enforcement and Victim Services Division by the date and time indicated below. **A late proposal will be deemed ineligible for funding.** Submission options are:

Regular or overnight mail, postmarked by **Monday, March 1, 2010** OR Hand delivered by 5:00 p.m. on **Monday, March 1, 2010** to:

California Emergency Management Agency  
Criminal Justice Programs  
Crime Suppression Section  
3650 Schriever Avenue  
Mather, CA 95655  
Attn: Parolee Reentry Court Program

## D. ELIGIBILITY

Applicants must be California courts with existing drug and mental health courts or courts that otherwise demonstrate leadership, commitment and ability to conduct the reentry court. The program must include key components of drug and collaborative courts using a highly structured model, including close supervision and monitoring, dedicated calendars, non-adversarial proceedings, frequent drug and alcohol testing, and close collaboration between the respective entities involved to improve the parolee's likelihood of success on parole.

Applicants may collaborate to provide services for a multi-city/county area. Under this scenario, one proposal must be submitted with a lead applicant responsible for implementing the project clearly identified.

Operational Agreements (OA's) will be required to clearly delineate the roles and responsibilities of the court and co-applicants, as well as any other participating agencies. The OA's will be due to Cal EMA by May 1, 2010 by all agencies selected for grant funding (see Part II. B. 2. (c) for further clarification).

## E. FUNDS

### 1. Source of Funds

Funding to support the Parolee Reentry Court Program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751(a). Please refer to the Authorizing Federal Legislation on page 6 of this RFP for details. Cal EMA, as the State Administrative Agency (SAA) in California, was awarded a total of \$135,641,045 under the Recovery JAG Program. Of this amount, \$10,000,000 has been allocated to the Parolee Reentry Court Program; \$9,500,000 is being made available for solicitation under this RFP.

Up to seven jurisdictions will be awarded grants ranging from \$1-1.5 million dollars per successful application. Funding awards will be proportionate with the number and type of parolees served. Funding priority will be given to jurisdictions serving larger numbers of parolees and those with higher risks of recidivating as outlined in Part II of the application.

Applicants selected will be funded for a two and one-half year period, beginning **March 1, 2010 and ending September 30, 2012**. Due to a 30 month grant performance period, the applicant must include a two and one-half (2 ½) year timeline for their project and submit three separate budgets (the first budget must cover 3/1/10 through 9/30/10; the second must cover 10/1/10 through 9/30/11; and the final budget must cover 10/1/11 through 9/30/12).

The funds are provided from Cal EMA through the federal JAG/ARRA program. Funds are intended to create or preserve jobs while reducing recidivism among parolees through the implementation or enhancement of reentry courts modeled after drug courts and mental health courts. There is no match requirement for this program.

### 2. Use of Funds (Program Specific)

Funds may be used for court supervision and monitoring, case coordination, retired judicial officers, court staff, and court operations, as well as alcohol and drug testing, treatment and rehabilitation services and family reunification services that are not available to parolees through other sources including parolee services and veteran's agencies.

## F. PROGRAM INFORMATION

### 1. Program Purpose/Description

This RFP provides for the implementation and enhancement of parolee reentry courts in order to reduce recidivism among parolees and to help them successfully transition back into the community. The purpose of a reentry court is to promote public safety, hold parolees accountable and reduce recidivism. This RFP will fund up to seven courts, including the implementation of new courts and/or enhancement of existing courts.

### 2. Background Information

More than one and a half million people were in state or federal prison in the United States in 2006. Of those, nearly 92 percent were men and 8 percent were women (Bureau of Justice Statistics, 2007). In California, there were more than 172,000 prison inmates at the end of 2006. Approximately 93 percent of the inmates were men and seven percent were women (California Prisoners and Parolees, 2007). In 2006, the number of prisoners released was 132,481 and by 2007 that number increased to 138,171.<sup>1</sup>

With an increasing number of prisoners being released each year in California, the need for reentry services is also increasing. According to the 2006 Public Policy Institute brief, "A growing majority of admissions are returns to prison for new crimes or parole violations, as opposed to new admissions – 67 percent were return admissions in 2004, compared to 59 percent in 1990. High recidivism rates present serious concerns for many communities, including the prospects for prisoner reentry, the stability of family life, and public health."

The Council of State Governments recommends a comprehensive and collaborative court approach (e.g., drug or mental health court) to parolee reentry: one that addresses specific parolee's housing, jobs, education, and mental health services needs. Although parolee reentry court is a relatively new trend in reducing recidivism with little research to show its effectiveness, drug courts have a track record of success. For example, studies have shown that drug courts and the drug court model significantly reduce recidivism.<sup>2</sup> Since three-quarters of people coming out of prison have a history of substance use disorders and an estimated 21 percent of parolees have a documented mental health condition,<sup>3</sup> they are likely to benefit from a reentry court based on the drug court model. Furthermore, the availability of substance abuse and mental health services for parolees has proven to lower the incidence of parole violations.

A number of states have established reentry courts to work with men and women pre and post release. These courts employ a multi-systemic or collaborative court approach, bringing together service providers, probation/parole, family members, and appropriate levels of supervision and accountability.

Reentry courts show promise as a strategy to maintain parolees in the community and avoid return to prison or jail. Key elements for effective reentry courts include court supervision, a team approach, accountability and services that address substance abuse, mental health, housing, vocational needs, and family reunification.

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<sup>1</sup> Douglas B. Marlowe, Drug Court Review

<sup>2</sup> Cissner, A., & Rempel, M. "The State of Drug Court Research: Moving Beyond 'Do They Work?'" Center for Court Innovation (2005).

<sup>3</sup> Hammett, T., C. Roberts, & S. Kennedy. "Health-Related Issues in Prisoner Reentry." *Crime & Delinquency* 47, no. 3 (2002): 390-409.

### 3. Program Components

#### a. Jurisdiction

The 2009 California Senate Bill 18, sec.49 authorizes the California Department of Corrections and Rehabilitation (CDCR) to refer parolees with a history of substance abuse and/or mental illness, who have violated their parole conditions, to a Parole Reentry Court Program. If the parolee is admitted into the reentry court program “the court, with the assistance of the parolee’s parole agent, shall have exclusive authority to determine the appropriate conditions of parole, order rehabilitation and treatment services to be provided, determine appropriate incentives, order appropriate sanctions, lift parole holds, and hear and determine appropriate responses to alleged violations, unless and until the court terminates the parolee’s enrollment in the program”.

#### b. Collaborative Court Model

To reduce recidivism, revocation and re-incarceration among parolees, the Parole Reentry Court Program must employ a collaborative court model (i.e., drug or mental health court) and utilize evidenced-based programs and services. All courts funded under this grant project should model the 11 collaborative justice principles described below. Acknowledgment and acceptance of these principles and practices is required.

#### **Collaborative Justice Court Principles:**

1. Collaborative justice courts integrate services with justice system processing.
2. Collaborative justice courts emphasize achieving the desired goals without using the traditional adversarial process.
3. Eligible participants are identified early and promptly placed in the collaborative justice court program.
4. Collaborative justice courts provide access to a continuum of services, including treatment and rehabilitation services.
5. Compliance is monitored frequently.
6. A coordinated strategy governs collaborative justice court responses to participants’ compliance, using a system of sanctions and incentives to foster program compliance.
7. Ongoing judicial interaction with each collaborative justice court participant is essential.
8. Monitoring and evaluation measures the achievement of program goals and gauges effectiveness.
9. Effective collaborative justice court operations require continuing interdisciplinary education.
10. Forging partnerships among collaborative justice courts, public agencies, and community-based organizations increases the availability of services, enhances collaborative justice court effectiveness, and generates local support.
11. Effective collaborative justice courts emphasize a team and individual commitment to cultural competency. Awareness of and responsiveness to diversity and cultural issues help ensure an attitude of respect within the collaborative justice court setting.

#### c. Program Administration

The Parolee Reentry Court Program must be administered by the reentry court team who shall receive ongoing training in utilizing collaborative court methods. The team must also develop methods for reporting outcome measures in conjunction with the Administrative Office of the Courts (AOC) and demonstrate use of evidence-based programs and services.

d. Collaboration: Community Partnership and Reentry Court Team

Community Partnership: The proposal should identify a plan to establish or expand partnerships with local parole departments, the courts, justice system partners, and service providers. The community partnership should be chaired by the presiding judge of the court, or his or her designee, and a member of the county board of supervisors or the county administrative officer, or his or her designee, and be comprised of justice system and service system partners, which may include prosecutors and defense counsel, parole agents, and representatives from social services, mental health agencies, employment programs, substance abuse programs, education programs, veteran's services, housing programs, and community-based agencies with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense. Examples of services include parolee specific services, veterans' services, evidence-based treatment programs, and family reunification services. Representatives from this group are to be identified as members of a steering committee for the reentry court.

The proposal must include a letter of support from CDCR to establish a Reentry Court.

Reentry Court Team: In addition to the community partnership steering committee, local courts must establish a reentry court team, chaired by the reentry court judge. Reentry court teams may consist of a reentry court coordinator, parole agent, and representatives from mental health and social services, prosecutor, and defense counsel to monitor parolees in the reentry court. At minimum, the reentry court team will meet weekly for case conferencing.

e. Evaluation and Data Collection

The AOC will conduct an evaluation of parolee reentry court programs to measure their effectiveness at reducing recidivism and parole revocation among parolees. In order to meet the data requirements for this study, funded programs must comply with AOC data collection requests and evaluation needs. The AOC will provide data collection worksheets that will track participant level data related to the following:

1. Number of parolees served in the reentry court.
2. Number of parole revocations in the reentry court.
3. Number of re-arrests, re-convictions and re-incarceration in the reentry court.
4. Race, ethnicity, gender, age, mental health or co-occurring diagnosis, primary drug of choice (if parolee has a history of substance abuse), and education level of parolees in the reentry court.
5. Reentry court data on hearings attended, status of compliance with court orders, testing results, etc.
6. Administrative data on individual reentry court participants from relevant partner agencies such as behavioral health treatment providers.
7. Additional outcome measures such as completion of GED, family reunification, employment, and housing status.
8. Fidelity reviews and quality assurance results to determine that reentry court processes are being followed according to the submitted proposal.

f. Reporting

Awardees will submit quarterly program reports to Cal-EMA during the award period. The program reports will detail program operations, the number of offenders served to date, and upcoming media and community events. Reports shall also provide any outcome measurement data. The data should specifically address progression toward the award's activities and

objectives. Awardees are also required to comply with all federal reporting requirements as noted in Part I. F.6.

g. Authorized Legislation

The American Recovery and Reinvestment Act of 2009, Public Law 111-5 (the "Recovery Act"), was signed into law by President Obama on February 17, 2009. It is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long neglected challenges so our country can thrive in the 21<sup>st</sup> century. The Act is an extraordinary response to a crisis unlike any since the Great Depression, and includes almost \$2 billion in critical resources for state and local law enforcement and other criminal justice activities through the Recovery Justice Assistance Grant (Recovery JAG) program.

Consistent with the strong emphasis on accountability and transparency of the Recovery Act, multiple streams of reporting requirements are included in these grants. Generally speaking, these requirements include: 1) Bureau of Justice Assistance (BJA) JAG Performance Measures; 2) Office of Management and Budget (OMB) reporting requirements; and 3) Parolee Reentry Court Program requirements. In order to ensure compliance with these requirements and to meet the original intent of the Recovery Act objectives, respondents must also consider staffing positions with this funding.

4. Special Conditions

In order to be eligible for Recovery Act JAG funding, recipients must agree to comply with the financial and administrative requirements set forth in the current edition of the Cal EMA Recipient Handbook, this RFP, and any program guidelines developed by Cal EMA.

Further, recipients understand and agree that awards made under the Recovery Act will be **one-time awards** and accordingly that it's proposed project activities and deliverables are to be accomplished without additional Cal EMA funding.

Recipients must also adhere to and comply with the following Special Conditions placed on Cal EMA's Recovery JAG award from the Bureau of Justice Assistance (BJA):

- a. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
- b. The 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 Office of Justice Programs (OJP).
- c. JAG NEPA - The recipient agrees to assist BJA and Cal EMA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the recipient or by a sub-recipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the recipient agrees to contact Cal EMA.

The recipient understands that this Special Condition applies to new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the recipient, a sub-recipient, or any third party and the activity needs to

be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- 1) new construction;
- 2) minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- 3) a renovation, lease, or any proposed use of a building or facility that will either:
  - a) result in a change in its basic prior use; or
  - b) significantly change its size;
- 4) implementation of a new program involving the use of chemicals other than chemicals that are
  - a) purchased as an incidental component of a funded activity; and
  - b) traditionally used, for example, in office, household, recreational, or education environments; and,
- 5) implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA and Cal EMA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of this Special Condition to Grantee's Existing Programs or Activities: For any of the recipient's or its subrecipient's existing programs or activities that will be funded by these grant funds, the recipient or subrecipient, upon specific request from BJA and Cal EMA, agrees to cooperate with any preparation by BJA/Cal EMA of a national or program environmental assessment of that funded program or activity.

- d. JAG data collection - The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by law and detailed by the BJA and Cal EMA in program guidance documents.
- e. Access to Records:
  - 1) The recipient understands and agrees that DOJ (including OJP and the Office of the Inspector General (OIG), and its representatives, and the Government Accountability Office (GAO), shall have access to and the right to examine all records (including, but not limited to, books, papers, and documents) related to this Recovery Act award, including such records of any subrecipient, contractor, or subcontractor.
  - 2) The recipient also understands and agrees that DOJ and the GAO are authorized to interview any officer or employee of the recipient (or of any subrecipient, contractor, or subcontractor) regarding transactions related to this Recovery Act award.
- f. Separate Tracking and Reporting of Recovery Act Funds and Outcomes - The recipient agrees to track, account for, and report on all funds from this Recovery Act award (including specific outcomes and benefits attributable to Recovery Act funds) separately from all other funds, including DOJ award funds from non-Recovery Act awards awarded for the same or similar purposes or programs. (Recovery Act funds may be used in conjunction with other

funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate.)

Accordingly, the accounting systems of the recipient and all subrecipients must ensure that funds from this Recovery Act award are not commingled with funds from any other source.

The recipient further agrees that all personnel (including subrecipient personnel) whose activities are to be charged to the award will maintain timesheets to document hours worked for activities related to this award and non-award-related activities.

g. Reporting and Registration Requirements under Section 1512 of the Recovery Act:

- 1) This award requires the recipient to complete projects or activities which are funded under the Recovery Act and to report on the use of Recovery Act funds provided through this award. Information from these reports will be made available to the public;
- 2) The reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act; and,
- 3) Recipients and their subrecipients must maintain current registrations in the Central Contractor Registration ([www.ccr.gov](http://www.ccr.gov)) at all times during which they have active federal awards funded with Recovery Act funds. A Data Universal Numbering System (DUNS) Number ([www.dnb.com](http://www.dnb.com)) is one of the requirements for registration in the Central Contractor Registration.

h. Provisions of Section 1512(c) - The recipient understands that Section 1512(c) of the Recovery Act provides as follows:

Recipient Reports - Not later than 10 days after the end of each calendar quarter, each recipient that receives Recovery Act funds from a Federal agency shall submit a report to that agency that contains:

- 1) the total amount of Recovery Act funds received from that agency;
  - 2) the amount of Recovery Act funds received that were expended or obligated to projects or activities;
  - 3) a detailed list of all projects or activities for which Recovery Act funds were expended or obligated, including:
    - a) the name of the project or activity;
    - b) a description of the project or activity;
    - c) an evaluation of the completion status of the project or activity;
    - d) an estimate of the number of jobs created and the number of jobs retained by the project or activity;
    - e) for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under the Recovery Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment; and
  - 4) detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.
- i. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct - The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subrecipient, subcontractor, or other person has either 1) submitted a false claim

for Recovery Act funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by –

**Mail:** Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

**E-mail:** [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

**Hotline:**(contact information in English and Spanish): (800) 869-4499

**Or Hotline Fax:** (202) 616-9881

Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig).

- j. Protecting State and Local Government and Contractor Whistleblowers (Recovery Act, Section 1553) - The recipient recognizes that the Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross mismanagement, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to Section 1553 of the Recovery Act. The text of Recovery Act is available at [www.ojp.usdoj.gov/recovery](http://www.ojp.usdoj.gov/recovery).
- k. Limit on Funds (Recovery Act, Section 1604) - The recipient agrees that none of the funds under this award may be used by any State or local government, or any private entity, for construction costs or any other support of any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.
- l. Misuse of award funds - The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
- m. Additional Requirements and Guidance - The recipient agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide) guidance and clarifications of Recovery Act requirements.
- n. Delinquent section 1512(c) reports - The recipient acknowledges that it has certified that it will comply with all reporting requirements under Section 1512(c) of the Recovery Act. (An online reporting mechanism is anticipated to be available for award recipient use by October 10, 2009.) Further to this certification, a failure to comply with the Section 1512(c) reporting requirements may, in addition to other penalties, subject the recipient to the following:
  - 1) After failure to report Section 1512(c) data for two consecutive reporting periods, the recipient may be - (1) precluded from drawing down funds under any OJP award, and/or (2) deemed ineligible for future discretionary OJP awards, until such time as the recipient becomes current in its Section 1512(c) reporting obligations; and

- 2) After failure to report Section 1512(c) data for three consecutive reporting periods, the recipient, upon written demand of the Director of BJA, shall return to OJP any unexpended award funds (including any unexpended interest earned on award funds) within 15 calendar days of the date of the demand notice. Thereafter, the recipient's award shall be converted to a cost-reimbursable grant until such time as the recipient becomes current in its section 1512(c) reporting obligations, and remains current for not less than two additional consecutive reporting periods.

## 5. Use of Funds

Recipients may utilize Recovery JAG funds for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as research and evaluation activities that will improve or enhance law enforcement programs related to criminal justice. Some examples include: prosecution and court programs; prevention and educations programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs (other than compensation).

In addition to fulfilling program-specific purposes, projects funded under the Recovery Act should be designed to further one or more of the general purposes of the Recovery Act, which are to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

Recovery JAG funds may not be expended outside of the JAG purpose areas. Even within the purpose areas, however, Recovery JAG funds may not be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. In addition, no Recovery JAG funds may be used directly or indirectly to provide for any of the following matters unless the U.S. Attorney General certifies, in advance, that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order: vehicles (excluding police cruisers); vessels (excluding police boats); aircraft (excluding police helicopters); luxury items; real estate; construction projects (other than penal or correctional institutions); and any similar matters.

### Non-Supplanting of State and Local Funds

Recipients must use federal funds to supplement existing State and local funds for program activities and must not replace (supplant) State or local funds that they have appropriated or allocated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

## 6. Registration

The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; and (2) Registering your organization with the Central Contractor Registration (CCR) database. Each recipient is required to obtain a DUNS number and register with the Central Contractor Registration (CCR) no later than the due date of the first quarterly report after the award is made.

**A DUNS number is required:** All applicants must include a DUNS (Data Universal Numbering System) number in their proposal. Proposals without a DUNS number are incomplete.

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

**Central Contractor Registration (CCR) is required:** In addition to the DUNS number requirement, BJA requires that all applicants (including subrecipients) for federal financial assistance maintain current registration in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).

## 7. Federal Reporting Requirements

Accountability and Transparency under the Recovery Act - Separate Tracking and Reporting of Recovery Act Funds and Outcomes

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including State and Federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds. The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

Quarterly Financial and Programmatic Reporting

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon standard reporting requirements for grants. In particular, Section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted to the OMB within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

Reporting Due Dates

In order for Cal EMA to meet the quarterly financial and programmatic reporting requirements set forth under the Recovery Act, subrecipient quarterly financial and programmatic reporting will be required, and is due within 15 calendar days after the end of each Cal EMA quarter outlined below:

<b>OMB Financial and Programmatic Reporting Periods</b>	<b>Due Dates</b>
September 1 - November 30	December 15
December 1 - February 28	March 15
March 1 - May 31	June 15
June 1 - August 30	September 15

Information from grant recipient reports will be posted on public websites at both the State and Federal level. Recipients may access California's recovery website at: [www.Recovery.ca.gov](http://www.Recovery.ca.gov), and the Federal recovery website at [www.Recovery.gov](http://www.Recovery.gov). Recovery Act recipients may expect that the information posted by both State of California and BJA will identify recipients that are delinquent in their reporting. Therefore, no extensions will be granted to the above reporting due dates.

In addition, recipients who do not submit required reports by the above due dates may be subject to other appropriate actions by Cal EMA, including, but not limited to, suspension or termination of the Recovery Act award, and restrictions on eligibility for future Cal EMA awards.

Recipients may expect that a standard form and/or reporting mechanism will be available and is discussed, in detail, under "Reporting Requirements – Office of Management and Budget" beginning on page 13 and under "Performance Measures – Bureau of Justice Assistance" beginning on page 17. Additional instructions and guidance regarding any new reporting requirements will be provided as they become available.

By accepting a Recovery JAG award from Cal EMA, all recipients agree to meet any additional reporting requirements placed on the Recovery JAG funds by the Office of Management and Budget and/or the Bureau of Justice Assistance.

### ***Reporting Requirements – Office of Management and Budget***

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, all funds under the Recovery JAG Program must be tracked, accounted for, and reported on separately from all other funds (including funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery JAG funds. The accounting systems of all recipients and sub-recipients must ensure that funds from any award under the Recovery JAG solicitation are not commingled with funds from any other source.

To assist in fulfilling the accountability objectives of the Recovery Act, as well as Cal EMA's responsibilities to the Bureau of Justice Assistance under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work (See Reference Links). In addition, applicants must discuss their data collection methods in their proposal. The following are **required** measures for awards made under the Recovery Act which will be provided to the Office of Management and Budget:

Objective	Performance Measures	Data the grantee provides for 3-month reporting period	Description (Plain language explanation of what exactly is being provided)
Recovery Act: Preserving jobs	Number of jobs saved (by type) due to Recovery Act funding.	a) How many jobs were prevented from being eliminated with the Recovery Act funding during this reporting period? b) How many jobs that were eliminated within the last 12 months were reinstated with Recovery Act funding?	An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
Recovery Act: Creating jobs	Number of jobs created (by type) due to Recovery Act funding.	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.

**NOTE:** In addition, new performance measures specific to the JAG Program have been developed by the Bureau of Justice Assistance with input from criminal justice members in the field. These performance measures can be found at [www.ojp.usdoj.gov/BJA/grant/JAG\\_Measures.pdf](http://www.ojp.usdoj.gov/BJA/grant/JAG_Measures.pdf), and are also attached for your reference.

### **Reporting Basics**

All Recovery Act funded recipients are required to report under Section 1512(c) of the Recovery Act:

- All entities that receive awards directly from DOJ (i.e., prime recipients); and
- Subrecipients who have been delegated reporting responsibilities by their prime recipient.

Section 1512 (c) requires reporting of the following information:

- Total amount of Recovery Act funds received and the amount spent on projects and activities;
- List of projects and activities funded by name to include: description, completion status, and estimates on jobs created or retained; and
- Details about subawards and subcontracts.

### **Reporting Jobs Data**

Section 1512(c) requires recipients to report on the **total number of jobs “created” or “retained”** through the Recovery Act funding, including:

- Paid positions that are new or existing vacant positions that are filled as a result of Recovery Act funding;
- An existing position for which recipients have documentation that the positions would have been eliminated if not for Recovery Act funding;
- Any position using Recovery Act funding after a lay-off occurred; and
- Recovery Act-compensated overtime for created, retained, or existing positions.

Two Fields: Numeric and Description

- Number of jobs: Total number of jobs created and retained, in Full Time Equivalents (FTEs); and
- Description of jobs created/retained: Details the employment impact of jobs created and retained.

Recipients must submit a narrative that describes the jobs impact of their award/project. The narrative description should use the following labor categories to classify jobs created and/or retained:

- Law enforcement
- Detention, probation, parole, and community corrections
- Policy/research/intelligence
- Community/social/victim services
- Courts/prosecution, defense, and civil attorneys
- Training and technical assistance

**Supporting Documentation**

Recipients must maintain auditable documentation supporting all reported data, including jobs data. Documentation should provide evidence that:

- 1) Created/retained positions and overtime hours are funded by Recovery Act awards;
- 2) Personnel are directly supporting Recovery Act projects and activities; and
- 3) Positions meet the criteria for “created/retained” positions and overtime hours.

Recommended Documentation		
Created Jobs	Retained Jobs	Overtime
<ul style="list-style-type: none"> <li>• Old and new organizational charts</li> <li>• New position descriptions</li> <li>• Jobs postings, offer letters and acceptance forms</li> <li>• Staffing lists</li> <li>• Timecards and payroll records</li> </ul>	<ul style="list-style-type: none"> <li>• Budget comparisons and/or projections before and after the Recovery Act award date</li> <li>• Formal layoff recommendations and retractions (memos, reports)</li> <li>• Minutes of formal meetings where official budget decisions are made</li> <li>• Timecards and payroll records</li> <li>• Employee activity reports</li> </ul>	<ul style="list-style-type: none"> <li>• Timecards and payroll records</li> <li>• Employee activity reports</li> </ul>

**Calculating Numeric Jobs Data**

How do I report Recovery Act funded created and retained jobs?

- Jobs should be reported as “Full-Time Equivalents” (FTEs); and

- An FTE is calculated as the total hours worked in jobs created or retained jobs divided by the number of hours in a full-time schedule.

### ***FTEs: What Counts?***

#### Do Count

- Hours worked by Recovery Act funded new and retained employees:
  - Compensated employees working in the U.S. or its “outlying areas”;
  - Employees of the recipient or subrecipient, including personnel hired through a 3<sup>rd</sup> party (e.g. staffing or temp agency);
  - Employees of certain vendors (more below);
  - Paid leave (CTO, vacation/sick leave, etc.);
- Recovery Act-funded overtime for created, retained or other positions; and
- Hours worked on or after the award date.

#### Don't Count

- Existing Positions: Standard hours for existing positions funded with Recovery Act dollars that do **not** meet the criteria for “created” or “retained”;
- Support Positions: Positions that are **not directly funded by the Recovery Act** but are necessary to support the corresponding increase in activity (e.g. accounting or HR staff funded through indirect); and
- Indirect/Induced Jobs: Retail transactions and contracts with service providers that do not require dedicated personnel or single purchases of less than \$500,000 from an individual manufacturer or supplier.

In addition, recipients will be provided an excel spreadsheet which will be filled out and emailed to your program specialist no later than 15 days after the end of the quarter. This spreadsheet will assist in the collection of data required under the Recovery Act, the Federal Transparency Act, and California’s Transparency Act.

## 8. Review and Release of Data

### ***Scope of Data Quality Reviews***

- Accuracy, Completeness, and Timely Reporting
- Avoidance of Material Omissions  
Instances where required data is **not reported or reported** information is not otherwise responsive to data requests resulting in significant risk that **the public is not fully informed** as to the status of the project or activity.
- Avoidance of Significant Report Errors  
Instances where required data is **not reported accurately** and such erroneous reporting results in significant risk that **the public will be misled or confused** by the recipient report in question.

### ***Cal EMA Review - Internal Controls***

- Data review protocol or automated process that identifies incongruous results (e.g., total amount spent on a project or activity is equal to or less than the previous reporting);
- Cross-validation of data to identify and/or eliminate potential “double counting” due to delegation of reporting responsibility to subrecipient;

- Control totals (e.g., total number of projects subject to reporting, total dollars allocated to projects) and verifying that reported information matches the established control totals; and
- Estimated distribution of expected data along a “normal” distribution curve and identifying outliers.

### **Cal EMA – Data Quality Checks**

Verify control information

- Number of submissions does not exceed number of unique subrecipients; and
- Amount of subawards reported does not exceed total of prime award made.

Check for material omissions

- Data are not reported (e.g., percent of project completed, estimated number of jobs).

Check for reporting errors

- Subrecipient reports 100% project completion, but has received minimal funding;
- Subrecipient reports expenditures in excess of total amount of subaward; and
- Reported values show a decrease from a prior reporting period.

Look for outliers

- Expended amounts reported by subrecipients are significantly over or under anticipated amounts; and
- Number of jobs created falls well outside the range of the number of jobs created for awards of similar value and purpose.

Verify Correct Identifying Data

- Correct federal DOJ award number; and
- Correct DUNS number.

### **Data Release**

Final data will be publicly released on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California’s Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov) no later than the 30<sup>th</sup> day;

- Draft data may be released as early as the 11<sup>th</sup> day;
- Reports will indicate Federal Agency review status:
  - Not Reviewed by Federal Agency;
  - Reviewed by Federal Agency, no material omissions or significant reporting errors identified; and
  - Reviewed by Federal Agency, material omissions or significant reporting errors identified.

**NOTE: Uncorrected data instances will be made public on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California’s Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov). Recipients are responsible for the quality of their data.**

### **Performance Measures – Bureau of Justice Assistance**

JAG Programmatic Performance Measures are customized dependent on activity type within each purpose area. Recipients will report on performance measures for only those activities funded by Recovery dollars. Recipients are not required to report on all BJA programmatic performance measures; only those applicable to your project's focus. Please note these are draft measures and may change slightly based on feedback from the field and the OIG. These programmatic measures will be collected by Cal EMA quarterly 15 DAYS after the end of the quarter in the BJA new online Performance Measurement Tool (PMT).

**NOTE: Cal EMA will be delegating reporting responsibility to its subrecipients for reporting data in BJA's PMT. Each recipient will be issued a user ID and password which will allow for direct reporting of JAG Performance Measures in BJA's PMT.**

In addition, Cal EMA may include performance measures within this RFP which are over and above the BJA performance measures. The Cal EMA performance measures will be collected separately from the BJA performance measures and reported directly to Cal EMA via quarterly progress reports.

Therefore, each recipient must:

- Maintain supporting documentation used to compile reporting data; and provide copies to Cal EMA as requested;
- Develop a system to collect and report performance measures before the reporting period due date; and
- Crosscheck all data records before reporting in the PMT to prevent significant reporting errors.

*PMT Reporting Schedule:* Performance measure reporting will be completed on a quarterly basis as follows:

<b>ARRA JAG Reporting Schedule</b>		
<b>Reporting Period</b>	<b>Type of Data Required</b>	<b>PMT Due Date</b>
July 1 – September 30	Program Performance Measures and Narrative	October 15
October 1 – December 31	Program Performance Measures	January 15
January 1 – March 31	Program Performance Measures	April 15
April 1 – June 30	Program Performance Measures	July 15

**NOTE: Uncorrected data instances will be made public on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California's Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov). Recipients are responsible for the quality of their data.**

**Additional Requirements Related to the Recovery Act:** *All Recovery JAG recipients will be required to follow any applicable provisions of government-wide guidance that may be issued in the future, pursuant to the Recovery Act.*

### **Reporting Fraud, Waste, Error and Abuse**

Each recipient awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General by –

**Mail:** Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

**E-mail:** [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

**Hotline:** (contact information in English and Spanish): (800) 869-4499

**Or Hotline Fax:** (202) 616-9881

Additional information is available from the DOJ OIG web site at [www.usdoj.gov/oig/](http://www.usdoj.gov/oig/).

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross mismanagement, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.

### ***Suspension or Termination of Funding***

Cal EMA may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:

- Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued there under, or other provisions of federal law;
- Failing to make satisfactory progress toward the goals, objectives, or strategies set forth in the proposal;
- Failing to adhere to the requirements in the agreement, standard conditions, or special conditions;
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the proposal would not have been selected for funding;
- Failing to submit reports; and
- Filing a false certification in this proposal or other report or document.

Before imposing sanctions, Cal EMA will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt to resolve the problem informally. Please refer to the most current edition of the Recipient Handbook, Section 12000, for specific information pertaining to Cal EMA's policy with respect to the withholding, disallowance, reduction, termination, and/or denial of grant funds.

### ***Non-profit organizations***

In all OJP funded programs for which nonprofit organizations are eligible recipients or subrecipients, with the exception of those funded under authority of the Juvenile Justice and Delinquency Prevention Act, it is Department of Justice policy that an organization can demonstrate its non-profit status in any one of four methods:

- 1) submission of proof of 501(c)(3) status from the Internal Revenue Service;
- 2) submission of a statement from the State taxing authority or State Secretary of State, or other similar official certifying that the organization is a nonprofit operating within the State, and that no part of its net earnings may lawfully benefit any private shareholder or individual;
- 3) submission of a certified copy of the applicant's certificate of incorporation or similar document;  
or
- 4) submission of any item above, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

### ***For-Profit Organizations***

For-profit organizations that receive grant funds under Recovery Act JAG should be aware that additional special conditions are placed on awards to such organizations. Among other things, commercial organizations must agree not to make a profit as a result of an award and not to charge a management fee for the performance of an award. Also, commercial organizations must agree to comply with the contract cost principles of subpart 31.2 of the Federal Acquisition Regulations.

### ***Government Performance and Results Act (GPRA)***

Awardees must collect data (on a quarterly, semi-annually, or annual basis, as requested) appropriate for facilitating compliance with reporting requirements established by Public Law 103-62, the Government Performance and Results Act. The funding recipient must ensure that valid and auditable source documentation is available to support all data collected for each performance measure specified in the program solicitation.

### ***Federal Funding Accountability and Transparency Act (FFATA) of 2006***

Applicants that receive a Recovery Act award should be aware of the requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, which calls for the establishment of a single searchable website that is accessible by the public and includes the following information for each Federal award:

- (1) The name of the entity receiving the award;
- (2) The amount of the award;
- (3) Information on the award including the transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action;
- (4) The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country;
- (5) A unique identifier of the entity receiving award and of the parent entity of the recipient, should the entity be owned by another entity; and
- (6) Any other relevant information specified by OMB.

Direct grant award information must be collected starting in FY 2007 and available for disclosure beginning in January 2008; subrecipient award data must be available beginning in January 2009. OJP will be responsible for collecting recipient information and providing it to the public website, using data provided by recipients through grants.gov and the Grants Management System. Additional information regarding these requirements will be provided when available. For updates, please visit the FFATA website at [www.fedspending.gov](http://www.fedspending.gov).

**PAROLEE REENTRY COURT PROGRAM  
PART II – RFP INSTRUCTIONS**

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- A. PREPARING A PROPOSAL
  - B. PROJECT NARRATIVE
  - C. PROJECT BUDGET
  - D. PROPOSAL APPENDIX
  - E. PREFERENCE POINTS CERTIFICATION
- 

A. PREPARING A PROPOSAL

The instructions in this section correspond to each of the proposal components and to the forms required to complete the proposal.

The applicant must use the forms provided in Part IV of this RFP or on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). The forms must be printed on plain white 8½" x 11" paper for the proposal. The Project and Budget Narrative templates provided on the website are formatted to Cal EMA standards. If you create your own Project and/or Budget Narrative forms, the format must duplicate the Cal EMA templates and not allow for more space than provided by Cal EMA. If a space limitation is specified for a component, strict adherence to the space limitation is required.

**NOTE:** Failure to comply with the spacing/formatting requirements is one of the factors that may negatively impact the applicant's comprehensive assessment score.

The following components are required for a complete proposal:

- Proposal Cover Sheet (included in Part IV);
- Grant Award Face Sheet (Cal EMA 2-101);
- Recovery JAG Special Conditions Certification;
- Project Contact Information (Cal EMA 2-102);
- Signature Authorization and Instructions (Cal EMA 2-103);
- Certification of Assurance of Compliance – Children's Justice Act (Cal EMA 2-104 c);
- Federal Grant Funds Log (Cal EMA 2-105);
- Preference Points Certification Form (Cal EMA 2-155) (*if applicable*);
- Project Narrative (Cal EMA 2-108);
- Project Budget (Including the Budget Narrative (Cal EMA 2-107);
- Budget Forms (Cal EMA 2-106 b);
- Letter of Support from CDCR; and
- Proposal Appendix (refer to Part II, D).

**NOTE:** The applicant must ensure that all information requested by the RFP is included in the appropriate section of the proposal in order to receive credit. Failure to include the required components may result in a reduced score or disqualification. Cal EMA will *not* advise the applicant if the proposal is incorrect and/or incomplete prior to rating or disqualification.

Copies of the proposal must be assembled separately and individually fastened in the upper left corner.  
***Do not bind the proposal.***

## B. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the proposed plan.

### 1. Problem Statement (maximum 2 pages)

The Problem Statement should include a brief description of the court jurisdiction including size, population, estimated number of parolees currently serving, and relevant social factors impacting successful parolee reentry. Utilizing Part I. F. (see page 5) describe the problem to be addressed by the project including key factors, such as substance abuse and mental health issues. Describe current and previous efforts to identify and respond to the needs of parolees, including effectiveness of these efforts and limitations that impact outcomes.

### 2. Plan and Implementation (maximum 15 pages)

Program Plan:

This section identifies the goals of the program and how the project will address the problem and the objectives to accomplish the goals. For each objective, provide a timeline reflecting the two and one-half (2 ½) year cycle beginning March 1, 2010 and ending September 30, 2012 and describe the activities and processes that will be implemented during the period 3/1/10 through 9/30/10, as well as 10/1/10 through 9/30/11 and 10/1/11 through 9/30/12. All activities must be realistic, measurable, and quantifiable.

It is expected that reentry court caseloads will be comprised of parolees likely to recidivate, including those with serious criminal histories. Courts may consider parolees with violent criminal histories on a case by case basis. Based on research by the AOC regarding median per participant costs of effective collaborative courts, it is estimated that grant funding should allow grantees to provide services to 250 or more parolees over the term of the grant.

Applicants may design a full-time program using retired judges and multiple court sessions per week. The Plan must demonstrate acknowledgement and acceptance of a collaborative court model that incorporates some or all of the 11 collaborative justice court principles as referenced in Part I F. 3 (b).

In a narrative form, detail the plan for the implementation and administration of a parolee reentry court program. The Plan must; identify the number and demographics of parolees to be served; describe eligibility criteria and use of risk and needs assessments; describe the referral and admission process; describe the process for assessing participant treatment needs and supervision requirements; describe participant case management, drug testing frequency and protocols, and nature of services; describe use of incentives and sanctions; describe anticipated length of time in program per parolee; describe criteria for program completion, termination, and parole revocation; and describe methods for reporting outcome measures.

Describe the applicant's plan to improve outcomes by enhancing or implementing a parolee reentry court program. Describe the applicant's experience with drug or mental health courts and/or reentry courts, if applicable. In relationship to the stated goals of the program (page 24), outline the steps through a series of objectives and activities by which the parolee reentry court program will be established or enhanced.

## Program Implementation:

In this section, the applicant must provide an overview of the components of the program (refer to Part I. F. 3) and your jurisdiction's ability to implement and administer the program. Provide a description of the reentry court team and the roles and responsibilities of the members, including court staff, local parole departments, and representatives from local service and treatment programs. Describe how these participating agencies have or will work together to meet the needs of this population. Also, describe how jobs will be created or retained through the use of these funds.

Describe training and qualifications of proposed staff, including judicial officer, clerk, and reentry court coordinator. Describe a plan for on-going training for reentry court team members on the utilization of collaborative court models.

Project must implement or work with an existing steering committee (see Part I. F. 3 (d)). In this section of the Plan, identify the roles and responsibility of the steering committee, as it relates to the project.

Describe how the objectives and activities regarding implementation of reentry courts is designed to divert violators from prison through the use of collaborative courts, such as drug and mental health courts that provide enhanced supervision and services for parolees.

In order to qualify for funding, applicants will need to demonstrate an established relationship with CDCR by including in the application a letter of support from CDCR.

In order to ensure program sustainability after the grant cycle is complete, describe what strategies will be used to continue the Parolee Reentry Court Program.

### a) Operational Description

Applicants must describe the program's organizational structure and operations as a parolee reentry court team. Applicants must demonstrate the ability to provide a comprehensive model of service delivery that will coordinate the various existing resources and address the gaps in critical services within their geographic area.

Describe the project's overall organizational framework, listing all funded, non-funded, and donated positions assigned to the project.

### b) Organizational Chart

The Proposal Appendix must contain a **current** organizational chart. It must show the relationships between the governing body, the organization, the project, the project staff, and the project volunteers. Position titles and percentage of funding for each position listed on the organizational chart must match with those positions listed, and percentage of funding for each position, on the actual budget pages for this program.

### c) Operational Agreements

As stated in Part I. F. 3. (d), applicants must demonstrate their ability to work in coordination with other related projects, services providers, and shared stakeholders. OA's demonstrate a formal system of networking and coordination between the local Cal EMA funded parolee reentry court program/team and other agencies/organizations. OA's must: (1) describe plans for coordination of services; (2) identify who provides which services; (3) specify what those services are; (4) describe the methods to assure quality of services; (5) describe the plan for cross training and cross referring; (6) describe the method of payment (i.e. invoices) to participating agencies; (7) be

effective for the duration of this grant period (grant ends September 30, 2012; and (8) be signed and dated by all parties, **even if the agencies and/or organizations are not funded by this program.**

If selected for funding, OA's are due to Cal EMA by May 1, 2010. Cal EMA will accept photocopied signatures on the Operational Agreements, but the **Original** OA with original signatures of those representing the following disciplines must be on file at the project and be available for review upon request or during a Site or Monitoring visit. A sample OA can be accessed by clicking on the following link: [Operational Agreement](#).

### 3. Goals, Objectives, Activities, and Performance Measures:

- a) Goals – Utilizing the issues that were identified and prioritized in the Problem Statement, specify the goals of the project.

A goal is the largest overall effect that your program has on your community. Goals may be multiple in nature and may differ from one jurisdiction to another. Each goal should be presented with all of its accompanying objectives, key activities, and performance measures.

What is (are) the goal(s) of the project? Overall goal(s) may be broad in scope and long in duration. There may be underlying goals as steps to achieve the overall goal(s).

- b) Objectives – Objectives focus on the methods that will be used to address the problem.

They should be clearly stated, realistic and **measurable**. They should reflect the project description and support the achievement of the project goals.

Describe in detail the objectives that will be implemented to achieve the goals. Each objective must also be linked to one or more corresponding performance measures.

- c) Activities – Are the key operational elements of the program.

Activities occur in support of the achievement of objectives. Activities must be specific, detailed enough to determine effectiveness, and must be reflective of the budget.

Describe in detail the activities to be performed to accomplish each objective. Activities must be specific and **measurable**.

- d) Performance Measures – Performance measures must be clearly identified, results oriented and reasonably attainable. Use the following **definitions** to assist in your response:

**Output** – The amount of work done; must be quantifiable (numbers projected and numbers achieved). Enter specific numbers, not percentages and not a range of numbers.

**Output Measures** – A measure of the volume of something actually produced; counts the goods and services produced (workload).

**Outcome** – The results of activities designed to accomplish the project's goal(s) and demonstrate a change.

**Outcome Measure** – The unit of measurement used to evaluate the success of an outcome; measures the actual impact or public benefit of a project's actions. For outcome measures, the initial year may consist of collecting baseline data.

Determine how the impact of the plan (project) can be assessed. The measurements for each objective may be a combination of outputs and outcomes. Based on federal requirements, Cal EMA has moved from output measures alone, to incorporate outcome measures. Outcome measures can illustrate the effects/impact of the project efforts. If you eliminate the identified problem, what would or would not happen? Once the anticipated effects have been determined, baseline data needs to be established to measure program effectiveness over time. Recipients will be required to submit output/outcome data in progress reports.

### Program Goals

The following goals are established for the Parolee Reentry Court Program:

1. Reduce parolee recidivism (i.e., re-offending, re-arrest, re-conviction or re-incarceration).
2. Reduce revocation of parole.
3. Utilize evidenced based rehabilitative programming or services, such as alcohol and drug services, family reunification, or other treatment services.
4. Participate in program evaluation and data collection designed to measure impact on recidivism and revocation (see also Part I. F. 3. (e)).

Funding priority will be given to parolee reentry court programs with larger caseloads and those designed to reduce recidivism. As such, program Budget should reflect caseload size and program design.

### C. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds, including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicants should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to Cal EMA modifications and approval.

Cal EMA requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project.

As stated in Part I of this RFP, up to seven jurisdictions will be awarded grants ranging from \$1-1.5 million dollars per successful application. Funding requests should be proportionate with the number and type of parolees served. Funding priority will be given to jurisdictions serving larger numbers of parolees and those with higher risks of recidivating.

**Note:** The following information is provided to assist in the preparation of the budget:

- Strict adherence to required and prohibited items is expected.
- Where the applicant does not budget for a required item, the applicant assumes responsibility.
- Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project.

The applicant should refer to the *Recipient Handbook* for additional information concerning Cal EMA budget policy or to determine if specific proposed expenses are allowable. The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under

“Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*. Should you have additional budget questions, contact the person listed in Part I, B.

## 1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the proposal preceding the budget pages, describing:

- how the project’s proposed budget supports the Program’s objectives and activities;
- how funds are allocated to minimize administrative costs and support direct services;
- the duties of project-funded staff, including qualifications or education level necessary for the job assignment (this does not take the place of the brief justification required in the line item budget);
- how project-funded staff duties and time commitments support the proposed objectives and activities;
- proposed staff commitment/percentage of time to other efforts, in addition to time allocated to this project;
- the necessity for subcontracts and unusual expenditures; and
- the mid-year salary range adjustments.

## 2. Specific Budget Categories

In Part IV of this RFP, or on our website, you can access Excel spreadsheets for each of the following three budget categories:

### a. Personal Services – Salaries/Employee Benefits (Cal EMA 2-106a) (formerly OES A303a)

#### 1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must also be budgeted as a part of salaries. If the applicant’s personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operating Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

#### 2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (Cal EMA 2-106b) (formerly OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (i.e., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500), under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during a Cal EMA site visit, a monitoring visit, or an audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses Category.

Budget for anticipated training related to the project. The applicant must include sufficient per diem and travel allocations for person(s) to attend required Cal EMA training conferences or workshops.

c. Equipment (Cal EMA 2-106c) (formerly OES A303c)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

**NOTE:** The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the **whole dollar amount only** (no cents) on each line item and the match amount (if applicable) in the correct column of the Budget Category form. You may add extra rows if necessary. The spreadsheets automatically calculate the subtotal at the end of each budget category and provide the total of the three spreadsheets at the bottom of the Equipment page. The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

## D. PROPOSAL APPENDIX

The proposal appendix provides Cal EMA with additional information from the applicant to support components of the proposal. The following must be included:

- **Organizational Chart:**  
The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- **[Operational Agreement \(OA\):](#)**  
OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period. These documents must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA can be accessed by selecting the title above; must be submitted by May 1, 2010.
- Project Summary (Cal EMA 2-150)
- Noncompetitive Bid Request (Cal EMA 2-156)
- Other Funding Sources (Cal EMA 2-151)
- Prior, Current, and Proposed Cal EMA Funding (Cal EMA 2-152)
- Project Service Area Information (Cal EMA 2-154)
- Computer and Automated Systems Purchase Justification Guidelines (Cal EMA 2-157)

## E. PREFERENCE POINTS CERTIFICATION

*California Government Code Section 7082* requires Cal EMA to give preference to applicants from areas in the state designated as Enterprise Zones. The goal of the Enterprise Zone Program is to stimulate growth in economically distressed areas. Five percent (5%) of the proposal's total score will be added to the proposal for the applicant specifically targeting a designated Enterprise Zone for services. Two percent (2%) of the applicant's total score will be added to the proposal for the applicant whose service area includes an Enterprise Zone, but does not specifically target the area for services.

Complete information concerning the Enterprise Zone Program is available on the Housing and Community Development, Division of Financial Assistance web page at <http://www.hcd.ca.gov/fa/cdbg/ez/>. If the applicant is eligible for preference points, certification of eligibility by the appropriate agency must be provided. Self-certification is not allowed.

## PAROLEE REENTRY COURT PROGRAM PART III – POLICIES AND PROCEDURES

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**NOTE:** The applicant is strongly encouraged to review the following sections before preparing the proposal.

- A. SELECTION OF PROPOSAL FOR FUNDING
  - B. FINALIZING THE GRANT AWARD AGREEMENT
  - C. ADMINISTRATIVE REQUIREMENTS
  - D. BUDGET POLICY
- 

### A. SELECTION OF PROPOSAL FOR FUNDING

#### 1. Proposal Rating

Eligible proposals received by the deadline are generally rated by a three member team. The rater scores are averaged and then ranked numerically. The Rating Form used for this process is included in Part IV of this RFP and is for informational purposes only.

#### 2. Funding Recommendation

Final funding decisions are made by the Secretary of Cal EMA. Funding recommendations are based on the following:

- the ranked score of the proposal;
- consideration of funding priorities or geographical distribution specific to this RFP; and
- prior negative administrative and programmatic performance, if applicable.

Projects previously funded by Cal EMA will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions:

- a. the project may not be selected for funding;
- b. the amount of funding may be reduced; or
- c. grant award conditions may be placed in the Grant Award Agreement.

See Part III, Section E for additional information regarding the Past Performance Policy.

#### 3. Notification Process

Applicants will be notified in writing of the results of the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

### B. FINALIZING THE GRANT AWARD AGREEMENT

#### 1. Standard Project Funding Authority

**Allocation of funds is contingent on the enactment of the State Budget.** Cal EMA does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized,

authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, Cal EMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

Cal EMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

## 2. Processing Grant Awards

### a. Grant Award Conditions

Cal EMA may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by Cal EMA.

### b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received a Report of Expenditures and Request for Funds (Cal EMA 2-201) may be submitted for reimbursement.

### c. Grant Award Amounts

When the amount of funds available is limited, Cal EMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, Cal EMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, Cal EMA will notify the applicant prior to executing the Grant Award Agreement.

## C. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

### 1. The *Recipient Handbook (RH)*

The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for "*Recipient Handbooks*". The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook*

requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

2. Internet Access (*RH 11500*)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFP instructions.

3. Progress Reports and Data Collection (*RH 10100*)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, Cal EMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

4. Monthly/Quarterly Report of Expenditures/Request for Funds (*RH 6300*)

Community-based organizations (CBOs) shall submit a monthly Report of Expenditures and Request for Funds (Cal EMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form Cal EMA 2-201 will result in the withholding of funds and may result in the recommendation to Cal EMA's Executive Secretary for termination of the grant award.

5. Technical Assistance/Site Visits (*RH 10300*)

Funded projects are assigned a Cal EMA program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the recipient in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

6. Monitoring Requirements (*RH 10400*)

A monitoring visit is an onsite assessment by staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the Recipient Handbook. Projects will be monitored on a random or as-needed basis.

7. Audit Requirements (*RH 8100*)

To safeguard Cal EMA assets and to ensure that all funds are accounted for, Cal EMA requires that organizations receiving a Cal EMA grant award(s) be audited in accordance with Recipient Handbook section 8100.

8. Source Documentation (*RH 10111*)

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless

of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFP instructions. Recipients will be required to have written job descriptions on file for positions funded by Cal EMA detailing specific grant-related activities to achieve project objectives.

#### 9. Bonding Requirements (*RH 2160*)

Private community-based organizations and American Indian organizations are required to obtain and send to Cal EMA a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of Cal EMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

#### 10. Copyrights, Rights in Data, and Patents (*RH 5300-5400*)

Cal EMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the Recipient Handbook.

### D. BUDGET POLICY

This document summarizes information on Cal EMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook. or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for "*Recipient Handbooks*".

#### 1. Supplanting Prohibited (*RH 1330*)

Grant funds must be used to supplement existing funds for program activities and *not replace* funds appropriated for the same purpose. If selected for funding, a written certification must be provided to Cal EMA indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

#### 2. Project Income (*RH 6610*)

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFP instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFP instructions.

### 3. Methods of Contracting and/or Procurement (*RH 3400*)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by Cal EMA program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000 which require prior Cal EMA approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a narrative describing the competitive bid process or a sole-source procurement (noncompetitive bid) request will be required. Cal EMA will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if Cal EMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

### 4. Travel Policies (*RH 2236*)

The following is Cal EMA's current travel policy:

#### a. Travel and Per Diem (*RH 2236*)

**The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines.** Travel reimbursement will only be allowed based on actual costs.

##### 1) Units of Government

Units of government may use their own written travel policy or the state policy.

##### 2) Community-Based Organizations (CBOs)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

#### b. State Travel and Per Diem Policy (*RH 2236.2*)

Use the following state travel policy for budgeting travel expenses:

##### 1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for Cal EMA approval.

##### 2) Meals and Incidentals

###### a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m.  
Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

## b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

## c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

## d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

## e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

## 3) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

## 4) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110.00, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140.00, plus applicable taxes.

## 5) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 55.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the proposal.

## 6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

5. Participating Staff (*RH 4500*)

The term "participating staff" refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

## 6. Independent Contractor/Consultant Services (*RH 3710*)

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency

### a. Rates (*3710.1*)

The maximum rate for independent contractors is \$250.00 per hour (excluding travel and subsistence costs). Compensation over \$250.00 per hour requires additional justification and **prior approval** from Cal EMA.

#### 1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

### b. Expert Witness Fees (*RH 3710.2*)

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for such witness fees is \$250.00 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;
- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds [attach the justification to Cal EMA 2-106 (formerly OES A303b)].

## 7. Facility Rental (*RH 2232*)

Up to \$21.00 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the proposal.

### a. Rental Space for Training and Counseling Rooms (*RH 2232.1*)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by another source.

## 8. Rented or Leased Equipment (*RH 2233*)

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by Cal EMA prior to the execution of a rental or lease agreement.

## 9. Indirect Costs/Administrative Overhead (*RH 2220*)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

## 10. Audits (*RH 8150*)

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

Specifically, the allowable audit costs are as follows:

- if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- if the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

## 11. Equipment (*RH 2300*)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by Cal EMA is required.

b. Computers and Automated Equipment (*RH 2340*)

1) Community-Based Organizations (*RH 2342.1*)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by Cal EMA is required.

2) Units of Government (*RH 2342.2*)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Cal EMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

3) Computer Purchase Justification (*RH 2341*)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (*RH 2331*)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase, as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by Cal EMA program staff during a site visit, monitoring visit, and/or audit.

12. Prohibited Expense Items (*RH 2240*)

a. Bonuses and Commissions (*RH 2241*)

Projects are prohibited from paying any bonus or commission to any individual, organization or firm unless specifically authorized by the terms of the program

b. Lobbying (*RH 2242*)

Refer to *RH 2242.1* for an extensive list of prohibited activities.

c. Fundraising (*RH 2243*)

Cal EMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

d. Real Property and Improvements (*RH 2244*)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFP instructions.

e. Interest (*RH 2245*)

The cost of interest payments is not an allowable expenditure, unless the cost is a result of a lease/purchase agreement.

f. Charges, Fees, and Penalties (*RH 2245*)

Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

g. Food and Beverages (*RH 2246*)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

h. Weapons and Ammunition (*RH 2247*)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

i. Membership Dues (*RH 2248*)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

j. Professional License (*RH 2248*)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFP instructions.

k. Annual Professional Dues or Fees (*RH 2248*)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFP instructions.

I. Depreciation (*RH 2249*)

Equipment costs may not include additional costs calculated for depreciation.

## PAROLEE REENTRY COURT PROGRAM RFP FORMS

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Click on one of the links below to access the corresponding form. Save the form to your hard drive before filling it out. To access the complete list of forms go to [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov), scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” then look under the “Related Links” section for “Forms”. Or, paste the following link into your browser:

**[http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)&Div=Law+Enforcement+and+Victim+Services+\(LEVS\)&Branch=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)Forms](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms)**

[Checklist](#)

[Coversheet](#)

[Grant Award Face Sheet and Instructions \(Cal EMA 2-101\)](#)

[Recovery JAG Special Conditions Certification](#)

[Project Contact Instructions and Information \(Cal EMA 2-102\)](#)

[Signature Authorization and Instructions \(Cal EMA 2-103\)](#)

[Certification of Assurance of Compliance - CJA \(Cal EMA 2-104c\)](#)

[Federal Grant Funds Log \(Cal EMA 2-105\)](#)

[Application Budget – Budget Narrative \(Cal EMA 2-107\)](#)

[Budget Forms \(Excel spreadsheet format\) – 2-106b. Without Match](#)

[Project Narrative \(Cal EMA 2-108\)](#)

[Project Summary \(Cal EMA 2-150\)](#)

[Sample Operational Agreement \(Cal EMA 2-161\)](#)

[Noncompetitive Bid Request Checklist \(Cal EMA 2-156\)](#)

[Other Funding Sources \(Cal EMA 2-151\)](#)

[Prior, Current, and Proposed Cal EMA Funding \(Cal EMA 2-152\)](#)

[Project Service Area Information \(Cal EMA 2-154\)](#)

[Computer and Automated Systems Purchase Justification \(Cal EMA 2-157\)](#)

[Preference Points Certification \(Cal EMA 2-155\)](#)

**PAROLEE REENTRY COURT PROGRAM  
RATING FORM**

Control #: \_\_\_\_\_

Rater #: \_\_\_\_\_

Applicant: \_\_\_\_\_

Funds Requested: \_\_\_\_\_

Preference Points:

Enterprise Zone Program:     2%             5%             None

<u>CATEGORY</u>	<u>TOTAL POINTS POSSIBLE</u>
1. PROBLEM STATEMENT	<u>90</u>
2. PLAN AND IMPLEMENTATION	<u>176</u>
3. BUDGET	<u>48</u>
4. COMPREHENSIVE ASSESSMENT	<u>32</u>
<b>SUB TOTAL</b>	<u><b>346</b></u>
<b>Enterprise Zone Preference Points</b>	<u>          </u>
	<u><b>TOTAL</b></u>

Each of the above categories contain questions assigned a point value. The point scale is divided into five columns labeled **I, II, III, IV, and V**. The applicant's response to each question is evaluated on the following criteria:

- I. ABSENT:** The response does not address the specific question or a response was not provided.
- II. UNSATISFACTORY:** The response does not completely address the question. The information presented does not provide a good understanding of applicant's intent, does not give the detailed information requested by the RFP, and/or does not adequately support the proposal or the intent of the program.
- III. SATISFACTORY:** The response addresses the question and provides a good understanding of the applicant's intent. The response adequately supports the proposal and the intent of the program.
- IV. ABOVE AVERAGE:** The response is above average and provides a clear and detailed understanding of the applicant's intent. The response presents a persuasive argument that supports the proposal and the intent of the program.
- V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presents a compelling argument that supports the proposal and the intent of the program.

RATING SCORE SHEET	I	II	III	IV	V
<b>1. PROBLEM STATEMENT (Maximum 90 points)</b>	<b>0</b>	<b>5</b>	<b>9</b>	<b>14</b>	<b>18</b>
a. How well does the proposal describe the court jurisdiction including size, population, estimated number of parolees, and relevant social factors impacting successful parolee reentry?					
b. How well does the proposal describe the problem to be addressed such as substance abuse and mental health issues?					
c. How well does the proposal describe current and previous efforts to identify and respond to the needs of parolees, including effectiveness of these efforts and limitations that impact outcomes?					
d. How well does the proposal describe how participating agencies have worked together to meet the needs of this population?					
e. How well does the proposal describe how jobs will be created or retained through the use of these funds?					
<b>2. PLAN AND IMPLEMENTATION (Maximum 176 points)</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>
a. Does the proposal demonstrate acknowledgment and acceptance of a collaborative court model that incorporates some of all of the 11 collaborative justice court principals?					
b. How well does the proposal describe the applicants plans and abilities to implement and administer a parolee reentry court program?					
c. How well does the proposal describe the applicant's incorporation of the 11 collaborative justice court principals into their program plan?					
d. How well does the proposal identify the number and demographics of parolees to be served?					
e. How well does the proposal describe eligibility criteria and use of risk and needs assessment?					
f. How well does the proposal describe the referral and admission process?					
g. How well does the proposal describe the process for assessing participant treatment needs and supervision requirements?					
h. How well does the proposal describe participant case management, supervision activities, drug testing frequency and protocols, and nature of services?					
i. How well does the proposal describe use of incentives and sanctions?					
j. How well does the proposal describe anticipated length of time in the program per parolee?					
k. How well does the proposal describe the methods for reporting outcome measures?					
l. How well does the proposal describe the applicant's plan to improve outcomes by enhancing or implementing the program?					
m. How well does the proposal describe the applicant's experience with drug or mental health courts and/or parolee reentry courts?					
n. How well does the proposal outline the steps through a series of objectives and activities by which the court will be established or enhanced?					

<b>RATING SCORE SHEET</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
<b>2. PLAN AND IMPLEMENTATION – Cont (Maximum 176 points)</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>
o. How well does the proposal describe the reentry court team; the roles and responsibilities of the member, including court staff, local parole departments, and representatives from local service and treatment programs?					
p. How well does the proposal describe the training and qualifications of proposed staff, including judicial officer, clerk, and parolee reentry court coordinator?					
q. How well does the proposal describe a plan for on-going training for reentry court team members on the utilization of collaborative coordination?					
r. How well does the proposal demonstrate the implementation or working relationship with a steering committee?					
s. How well does the proposal objectives and activities describe enhanced supervision, diversion methods, and collaborative courts, such as drug and mental health courts for parolees?					
t. How well does the proposal demonstrate and established a relationship between the reentry court program and the CDCR by including a letter of support from CDCR?					
u. How well does the proposal describe strategies to continue the Parolee Reentry Court Program after the grant cycle is complete?					
v. How well does the proposal describe the operational description of the reentry court team, and its ability to provide a comprehensive model of service delivery that coordinates resources and addresses gaps?					
<b>3. BUDGET, including budget narrative (Maximum 32 points)</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>12</b>	<b>16</b>
a. How well does the budget narrative support the proposal objectives and activities, and the intent and requirements of the program?					
b. How well are the funds allocated in the Budget Category Forms? How well do the line items support the proposal plan, objectives, and activities of the program?					
<b>4. COMPREHENSIVE ASSESSMENT (Maximum 48 points)</b>	<b>0</b>	<b>12</b>	<b>24</b>	<b>36</b>	<b>48</b>
a. How well does this proposal support the overall intent, goals, and purpose of the program?					

## PAROLEE REENTRY COURT PROGRAM SUMMARY OF THE PAST PERFORMANCE POLICY

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The following is a summary of Cal EMA's Past Performance Policy. A complete copy may be obtained by sending a written request to the Director of Grants Management at:

California Emergency Management Agency  
Law Enforcement and Victim Services Division  
3650 Schriever Avenue  
Mather, CA 95655  
Attn: PAROLEE REENTRY COURT PROGRAM - Crime Suppression Section  
Fax: (916) 323-1756

### 1. General Policy

This policy is intended to penalize existing recipients having serious performance problems and will be utilized only in connection with the RFP process on the awarding of grants for new funding cycles. It was developed in consultation with Cal EMA's advisory groups.

### 2. Penalty Levels

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

### 3. Standard for Invoking A Penalty

The standard for invoking either penalty is dependent upon the recipient's compliance with grant terms and conditions (excluding minor incident(s) of noncompliance).

#### a. Serious Performance Problems Eligible For Consideration

Performance problems which would qualify under this policy include, but are not limited to:

- 1) significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of a Cal EMA policy, or Terms of the Program, but **only after** the recipient had been provided:
  - a) technical assistance by Cal EMA, including a site visit if necessary, to remedy the violation;
  - b) at least one written notice (per violation); and
  - c) a reasonable opportunity to remedy the violation.

Written notice of serious performance problems will be provided to the recipient's executive officer. Failure to remedy the violation may negatively impact the recipient's eligibility for future funding.

It is not necessary for a criminal conviction to have occurred for Cal EMA to consider actions appearing to constitute fraud, embezzlement, mishandling of funds or other types of statutory violations. Cal EMA must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem;
- 2) whether the problem identified was intentional;
- 3) whether the problem revealed dishonest behavior by the applicant;
- 4) whether the interests of the State or the public were harmed by the problem;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior;
- 6) whether the problem was documented objectively; and
- 7) whether Cal EMA attempted to assist the recipient in remedying the problem.

c. Specific Examples

Performance problems are considered on a case-by-case basis and take the totality of the circumstances into consideration. The following examples are not intended to be binding or restrictive of Cal EMA's authority to determine the appropriate penalty in a particular case:

- 1) Cal EMA conducts a visit of a project and makes the following findings:
  - a) the shelter failed to pay overtime on two occasions;
  - b) three timesheets did not contain a supervisor's approval; and
  - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to address the findings. Communication with the recipient four months later shows the findings have been corrected.

**Penalty: None**

- 2) One year ago, an audit discovered that a project employee embezzled \$300 of Cal EMA funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the district attorney's office for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises to better supervise its employees. No other problems with the recipient are known.

**Penalty: Level B**

- 3) A project has agreed to provide victim advocacy services in County X. The recipient spends \$40,000 on non grant related expenses and does not provide the services. This is documented in the site visit report. The project's Progress Reports to Cal EMA report that the services are being provided. Cal EMA refers the matter to the district attorney for prosecution, but no additional steps have yet to be taken.

**Penalty: Level A**

4. Notification to the Applicant and Appeal of Decision

A letter will be sent by certified mail to the applicants that are denied funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding, pursuant to the Appeals Guidelines.

**PAROLEE REENTRY COURT PROGRAM  
GLOSSARY OF TERMS**

TERM	DEFINITION
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet (Cal EMA 2-101) is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals. The Recipient was formerly referred to as the "Grantee".
Application	Once selected for funding, the original proposal plus any additional forms as required by Cal EMA becomes the application. This application, once signed by Cal EMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement (Cal EMA 2-101).
CFR	Code of Federal Regulations
Community-based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity (EEO) Checklists	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist Cal EMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between Cal EMA and the local government agency or organization authorized to accept grant funding. (See Application.)
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (Cal EMA 2-101) (formerly OES A301).
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response	Form sent to the Recipient with the Monitoring report. The form is

Form	completed by the Recipient and returned to the Cal EMA Local Assistance Monitoring Branch (LAMB), indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community-Based Organization)	<p>A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501(c)(3) for recipients of faith-based organizations. All organizations may qualify for nonprofit status using any one of the four following methods:</p> <ol style="list-style-type: none"> <li>(1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501(c)(3).</li> <li>(2) A statement from a State taxing body or the State Secretary of State certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual:</li> <li>(3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or</li> <li>(4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.</li> </ol>
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles that serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.

Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFP and submitted to Cal EMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible at <a href="http://www.CalEMA.ca.gov">www.CalEMA.ca.gov</a> . Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for " <i>Recipient Handbooks</i> ". The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ".
Request for Application (RFA)	The RFA is a noncompetitive process issued by Cal EMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The Request for Proposal is issued by Cal EMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.
Supplanting	To reduce federal, state, or local funds because of the existence of Cal EMA funds. Supplanting occurs when a Recipient deliberately replaces its non-Cal EMA funds with Cal EMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, Cal EMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code