

Dane County Contract Cover Sheet

Res 338
Significant

Dept./Division	Dane County District Attorney
Vendor Name	Wisconsin Department of Justice
Vendor MUNIS #	2155
Brief Contract Title/Description	VAWA Stop Grant through DOJ
Contract Term	10/1/17-9/30/18
Total Contract Amount	\$ 125,000

Contract # <small>Admin will assign</small>	13261
Addendum	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Contract	
<input type="checkbox"/>	Dane County Contract
<input checked="" type="checkbox"/>	Grant
<input type="checkbox"/>	County Lessee
<input type="checkbox"/>	County Lessor
<input type="checkbox"/>	Intergovernmental
<input type="checkbox"/>	Purchase of Property
<input type="checkbox"/>	Property Sale
<input type="checkbox"/>	Other

Purchasing Authority	<input type="checkbox"/> \$10,000 or under – Best Judgment (1 quote required)	
	<input type="checkbox"/> Between \$10,000 – \$35,000 (\$0 – \$25,000 Public Works) (3 quotes required)	
	<input type="checkbox"/> Over \$35,000 (\$25,000 Public Works) (Formal RFB/RFP required)	RFB/RFP #
	<input type="checkbox"/> Bid Waiver – \$35,000 or under (\$25,000 or under Public Works)	
	<input type="checkbox"/> Bid Waiver – Over \$35,000 (N/A to Public Works)	
	<input checked="" type="checkbox"/> N/A – Grants, Leases, Intergovernmental, Property Purchase/Sale, Other	

MUNIS Req.	Org Code	DACTA 32481	Obj Code	Amount	\$ 125,000
Req #	Org Code		Obj Code	Amount	\$
Year	Org Code		Obj Code	Amount	\$

Resolution	A resolution is required if the contract exceeds \$100,000 (\$40,000 Public Works). A copy of the Resolution must be attached to the contract coversheet.					
	<input type="checkbox"/> Contract does not exceed \$100,000 (\$40,000 Public Works) – a resolution is not required.					
	<input checked="" type="checkbox"/> Contract exceeds \$100,000 (\$40,000 Public Works) – resolution required.				Res #	338
	<input checked="" type="checkbox"/> A copy of the Resolution is attached to the contract coversheet.				Year	2017

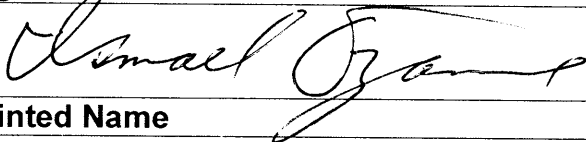

Domestic Partner	Does Domestic Partner Equal Benefits Requirement Apply? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Contract Review/Approvals				
Initials	Dept.	Date In	Date Out	Comments
MG	Received by DOA	12/5/17		
CU	Controller		12/6/17	
COG	Purchasing	12/6/17	12/6/17	
	Corporation Counsel	12/6/17	12/6/17	
	Risk Management	12/6/17	12/6/17	
	County Executive			

Dane County Dept. Contact Info		Vendor Contact Info	
Name	Marlys Howe	Name	Wisconsin Department of Justice
Phone #	608-284-6888	Phone #	608-266-1221
Email	Marlys.Howe@da.wi.gov	Email	
Address	215 S Hamilton Street, Room 3000, Madison, WI 53703	Address	114 E State Capitol/P.O. Box 7857 Madison, WI 53703-7857

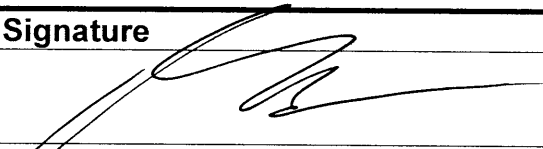
Certification: The attached contract is a:	
<input checked="" type="checkbox"/>	Dane County Contract <u>without</u> any modifications.
<input type="checkbox"/>	Dane County Contract <u>with</u> modifications. The modifications have been reviewed by:
<input type="checkbox"/>	Non-standard contract.

Contract Coversheet Signatures

Department Approval of Contract		
Dept. Head / Authorized Designee	Signature	Date
		12-9-17
	Printed Name	
		

Contracts Exceeding \$100,000

Major Contracts Review – DCO Sect. 25.11(3)

Director of Administration	Signature	Date
	Comments	
Corporation Counsel	Signature	Date
		12/6/17
	Comments	



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL
ATTORNEY GENERAL

Paul W. Connell
Deputy Attorney General

Delanie M. Breuer
Chief of Staff

114 East, State Capitol
P.O. Box 7857
Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

STOP VIOLENCE AGAINST WOMEN ACT GRANT AWARD
Specialized Regional Prosecutor
2015/2016-VA-02A/02B-12557

The Wisconsin Department of Justice (DOJ), hereby awards to **Dane County**, (hereinafter referred to as the **Grantee**), the amount of **\$125,000** for programs or projects pursuant to the federal Violent Crime Control and Law Enforcement Act of 1994.

This grant may be used until **September 30, 2018** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachment B.

The Grantee shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of the Wisconsin Department of Justice. The submitted application is hereby incorporated as reference into this award.

This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Grantee signs and returns one copy of this grant award to the Wisconsin Department of Justice.

BY:

Brad D. Schimel
Attorney General
Wisconsin Department of Justice

November 6, 2017
Date

The (Grantee), **Dane County**, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

GRANTEE: **Dane County**

BY:

NAME: **Joseph Parisi**

TITLE: **County Executive**

Date

WISCONSIN DEPARTMENT OF JUSTICE
ATTACHMENT A

Completion of this signed grant award within 30 days of the date of the award is required to release federal funds.

**WISCONSIN DEPARTMENT OF JUSTICE
ATTACHMENT A**

Grantee: **Dane County**

Project Title: **Specialized Regional Prosecutor** CFDA #16.588

Grant Period: From **October 1, 2017** To **September 30, 2018**

Grant Number: **2015/2016-VA-02A/02B-12557** Program Area: **2B**

APPROVED STOP VIOLENCE AGAINST WOMEN BUDGET

		<u>Federal & Match</u>
Personnel		\$130,000
Employee Benefits		\$36,000
Travel (Including Training)		\$1,000
Equipment		
Supplies & Operating Expenses		
Consultants		
Other		
FEDERAL TOTAL	\$125,000	
LOCAL CASH MATCH	\$42,000	
LOCAL IN-KIND MATCH		
TOTAL APPROVED BUDGET	\$167,000	\$167,000

See your E-grants Application for details

<u>FUNDING SOURCE</u>			<u>PERCENTAGE DISTRIBUTION</u>		
Federal Share		\$125,000	Law Enforcement	5	%
Local Share	Cash	\$42,000	Prosecution	95	%
	In-Kind		Victim Services		%
			Judicial		%
Total Approved Funding Source		\$167,000	Total	100	%

Award General Conditions

1. Match/Cost Sharing Requirement: **Not-for-profit, non-governmental service providers are exempt from match.** Subgrantees are requested to provide match when possible to assist the State in fulfilling its match requirement. Match contributions may be either cash or an in-kind contribution. Examples of match may include office space, supplies, or non-federally funded support staff.
2. Grantees may not reduce or eliminate current appropriation level of the local matching funds during the grant period.
3. Budget changes in excess of 10% of the approved line item amount and **any** increases for personnel compensation not included in the approved budget require approval from DOJ. **All changes to the contractual category require prior DOJ approval.** *All modifications must be submitted in Egrants no later than 30 days before the end of the grant project period. You must contact the VAWA Grants Administrator prior to submitting a budget modification.*

4. **ALL** subgrantees must get prior approval for any out of state travel/training. Approval must be given **before** funds are spent or arrangements are made.
5. To be allowable under a grant program, costs must be paid or obligated for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 30 days of the grant period ending date.
6. Subgrantees acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan (if required to submit one pursuant to 28 CFR 42.302) that is approved by the Federal Office of Civil Rights, is a violation of its Certified Assurances and may result in the suspension of the grant.
7. Grant funds will be disbursed on a **reimbursement** basis either monthly or quarterly upon submission of a FSR.
8. ****If you accept the terms and conditions of the award, please have your Designated Signing Official (ex: County Board Chair, Mayor, Board President, etc.) sign a copy of the award document in the appropriate locations and *initial* the bottom right corner of Attachment A and B. The Project Director is responsible for the grant reporting requirements and should sign the Acknowledgement Notice. **Please return one full signed set of the original signed award documents to the Department of Justice (DOJ) within 30 days of the receipt date. Retain another set of award documents for your records.** DOJ will not disburse funds or modify your award unless we have received these signed award documents.****

If you **do not accept** the terms and conditions of the award, notify the VAWA Grants Administrator immediately. Return the unsigned award document to DOJ-OCVS.

Initial Here: _____

**WISCONSIN DEPARTMENT OF JUSTICE
SPECIAL CONDITIONS
ATTACHMENT B**

Dane County
Specialized Regional Prosecutor
2015/2016-VA-02A/02B-12557

Special Conditions requiring a specific response:

- All signed contracts and associated budgets pertaining to this grant must be forwarded to DOJ within 30 days of accepting the grant award. Funds will not be released until these are received.
- Non-Profit agencies must submit proof of non-profit status to OCVS before funds can be released.
- All positions funded partially or completely from this award must attend a training on crime victim compensation every three years. Contact OCVS for training dates and locations.
- **All new subgrantees must attend an OCVS Grants training** within the first year of funding.

Dane County agrees by acceptance of this grant award that:

- If the grant award budget contains wages, the grantee's records must be maintained in a form that, at any time, an auditor or DOJ representative would be able to identify the use of the Federal and Matching funds. These records should include information such as employee name, rate of pay; hours worked and amount of time dedicated to the grant project.
- Only personnel listed in the grant award budget may work on the activities of this grant. Any other person who wishes to perform work on this grant must get prior approval from OCVS.
- The agency accounting system and financial records will accurately account for funds awarded to them. Accounting systems must ensure that federal award funds are not commingled with funds from other sources. Funds specifically budgeted or received for one project may not be used to support another (including provided match).
- All procurement transactions, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition.
- All sole source procurement requests shall be submitted to DOJ for review and approval.
- Reimbursement for travel will be limited to a maximum 51¢ per mile, \$82.00/night for lodging (\$90/night for Milwaukee, Racine, Waukesha counties) and \$38.00/day for meals. (\$8 breakfast, \$10 Lunch and \$20 Dinner) All out of state travel MUST be approved by the VAWA Grants Administrator.
- Reimbursement payments will be held for late program reports.
- Please note that requests for reimbursements may take 6 to 8 weeks for processing and payment. You can help us expedite this by submitting your FSRs by the deadline, and ensuring that the calculations are correct.
- **Financial Status Reports (FSR) can now be submitted directly into Egrants. Please attach your FSR and supporting documents directly into the Fiscal Reports section under Monitoring.**
- All funds designated as match are restricted to the same uses as the Violence Against Women Program funds and must be expended within the grant period. The agency must ensure that match is identified in a manner that guarantees its accountability during an audit.
- Technical Assistance (TA) and training provided with these funds must focus on local or regional specific issues and tasks intended to assist individuals and organizations in addressing local problems and needs. Assistance may include any training or other TA directed towards improving services to underserved populations. **These funds are not to be used for broad knowledge and skill training of general audiences.**

- VAWA funds may not be used for fund raising activities.
- Fees for independent consultants may not exceed the federal rate of \$650.00 per eight-hour day, or \$81.25 per hour, unless **prior approval** is received from DOJ.
- All program income generated as a direct result of this award shall be deemed program income and reported quarterly to DOJ on the Program Income/Expenditure Report form. Program income must be used for the purposes and under the conditions applicable to the award and must be expended during the grant period. Program income includes, but is not limited to, collection of registration fees, tuition fees, interest earned and royalties.
- Subgrantees should refer to the U.S. Department of Justice financial guide found at ojp.gov/financialguide/DOJ/index.htm. Subgrantees must comply with all provisions found in these documents.

INITIAL HERE: _____

**STOP VIOLENCE AGAINST WOMEN PROGRAM
ACKNOWLEDGEMENT NOTICE**

Grantee: Dane County Date November 6, 2017
Grant No. 2015/2016-VA-02A/02B-12557
Project Title: Specialized Regional Prosecutor

The following reporting requirements apply to your grant award.

PROGRAM REPORTS must be submitted on a scheduled basis and **should be completed in Egrants:** <https://egrants.doj.state.wi.us/egmis/login.aspx>. Narrative reports on the status of your project are due to DOJ on:

<u>01/30/2018</u>	<u>4/30/2018</u>	<u>07/30/2018</u>	<u>10/30/2018 Final</u>
NOTE: Reports due 01/30 includes October, November and December program activity.	Reports due 04/30 includes January, February and March program activity.	Reports due 07/30 includes April, May and June program activity.	Reports due 10/30 includes July, August and September program activity.

FINANCIAL REPORTS serve two functions: to report fiscal status and to request funds. Do not enter financial reports into Egrants, only report it on the FSR. The FSR form will be provided by your Program Manager or Grant Specialist. Reports may be submitted monthly but, at a minimum, are due to DOJ on:

<u>01/30/2018</u>	<u>04/30/2018</u>	<u>07/30/2018</u>	<u>10/30/2018 Final</u>
NOTE: Reports due 01/30 includes October, November and December program activity.	Reports due 04/30 includes January, February and March program activity.	Reports due 07/30 includes April, May and June program activity.	Reports due 10/30 includes July, August and September program activity.

MODIFICATIONS: Any modifications are due 30 days before the end of the project period. **You must contact the VAWA Grants Administrator *prior* to submitting a budget modification.**

EEOP CERTIFICATION FORM The Office of Justice Programs requires ALL subgrantees complete the EEOP Certification form and submit it to the Office of Civil Rights. Please use the new EEO Reporting Tool found here: <https://ojp.gov/about/ocr/eeop.htm>.

SYSTEM FOR AWARD MANAGEMENT (SAM) REGISTRATION RENEWAL: All subgrantees must maintain registration on the SAM database. This is the repository for standard information about federal financial assistance subgrantees, recipients, and subrecipients. Subgrantees must update or renew their SAM registration on a yearly basis. Information to update your entity records can be accessed at <http://www.sam.gov/>.

ANNUAL SUB-GRANTEE PROGRESS REPORT due date to follow.
All VAWA subgrantees are required, by OVW, to submit an Annual Progress Report at the end of the calendar year.

ACKNOWLEDGEMENT

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions, as well as receipt of the General Conditions which were previously provided in the Instructions for Filing and Application. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

12/5/17
Date

Marlys Howe
Marlys Howe

, Project Director

**CERTIFIED ASSURANCES
STOP Violence Against Women
Updated as of 10-1-16**

Federal Assurances:

STANDARD ASSURANCES

The Subgrantee hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The subgrantee also specifically assures and certifies that:

1. **It has the legal authority to apply for federal assistance** and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. **It will establish safeguards** to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. **It will give the awarding agency or the Government Accountability Office, through any authorized representative, access** to and the right to examine all paper or electronic records related to the financial assistance.
4. **It will comply with all lawful requirements** imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. **It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966** (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. **It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
7. **If a governmental entity:**
 - a. **it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970** (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b. **it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28**, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

2017 Federal Award Conditions

1. **Requirements of the award; remedies for non-compliance or for materially false statements**

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

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office on Violence Against Women ("OVW") taking appropriate action with respect to the recipient and the award. Among other things, the OVW may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OVW, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

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

2. **Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide**

The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide as posted on the OVW website to include any amendments made throughout the course of the grant period.

3. **Requirement to report potentially duplicative funding**

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

4. **Requirements related to System for Award Management and Universal Identifier Requirements**

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OVW website at <https://www.justice.gov/ovw/grantees> (Award condition: Registration with the System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

5. **Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OVW authority to terminate award)**

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of

persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

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

6. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears on the OVW website at <https://www.justice.gov/ovw/grantees>.

7. OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <https://www.justice.gov/ovw/grantees>.

8. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

9. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "highrisk" for purposes of the DOJ high-risk grantee list.

10. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

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

11. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

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

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

12. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

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

13. Restrictions on "lobbying" and policy development

In general, as a matter of federal law, federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. 1913. The recipient, or any subrecipient ("subgrantee") may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 U.S.C. 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

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

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

14. Compliance with general appropriations-law restrictions on the use of federal funds for this fiscal year

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, for each fiscal year, are set out at <https://www.justice.gov/ovw/grantees>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

15. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://www.usdoj.gov/oig>.

16. Restrictions and certifications regarding non-disclosure agreements and related matters No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient—

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both—

a. it represents that—

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

17. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant. The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712. Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

18. Encouragement of policies to ban text messaging while driving

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

19. The recipient agrees to follow the applicable set of general terms and conditions that are available at <https://www.justice.gov/ovw/grantees>. These do not supersede any specific conditions in this award document.

20. The recipient agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.

21. The recipient must be in compliance with requirements outlined in the solicitation under which the approved application was submitted. The program solicitation is hereby incorporated by reference into this award.

22. **The Violence Against Women Reauthorization Act of 2013 added a civil rights provision** that applies to all OVW grants issued in FY 2014 or after. This provision prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. The recipient acknowledges that it will comply with this provision. The recipient also agrees to ensure that any subrecipients ("subgrantees") at any tier will comply with this provision.
23. **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.
24. **Grant funds may be used only for the purposes in the recipient's approved application.** The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OVW grant funds, without prior written approval from OVW.
25. **The recipient agrees that funds will be used to supplement,** not supplant, non-federal funds that would otherwise be available for the activities under this grant.
26. **The recipient agrees to comply with the provisions of 42 U.S.C. 13925(b)(2),** nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The recipient also agrees to ensure that any subrecipients ("subgrantees") at any tier meet these requirements.
27. **The recipient agrees that grant funds will not support activities that compromise victim safety and recovery, such as:** procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.); procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation under which the approved application was submitted.
28. **The Director of OVW, upon a finding that there has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, will terminate or suspend** until the Director is satisfied that there is no longer such failure, all or part of the award, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
29. **The recipient acknowledges that it is responsible for maintaining updated contact information in the Grants Management System.** To update information in GMS for either the point of contact and/or the authorized representative, the recipient must submit a Grant Adjustment Notice.
30. **The recipient agrees to provide OVW with specific information regarding subawards ("subgrants") made under this program.** The recipient agrees to submit an annual report that includes **(a)** an assessment of whether stated goals and objectives were achieved; **(b)** information on the effectiveness of the activities carried out with the amounts made available to carry out the program, including number of persons served and the numbers of persons seeking services who could not be served; **(c)** information on each subaward awarded; and **(d)** such other information as the Attorney General may prescribe. Recipients are required to submit this report after the end of each calendar year but no later than March 30 each year. Recipients are required to submit this information on the Annual STOP Administrators' Report form (which is to be completed

by the State Administrator) and the Annual Progress Report for STOP Violence Against Women Formula Grant Program form (which is to be completed by subrecipients ("subgrantees")).

31. **Under the Government Performance and Results Act (GPRA), VAWA 2000 and subsequent legislation, recipients and subrecipients ("subgrantees") are required** to collect and maintain data that measure the effectiveness of their grantfunded activities. Accordingly, the recipient agrees to submit annual electronic progress reports on program activities and program effectiveness measures and to require submission of reports by subrecipients. Recipients and subrecipients are required to collect the information that is included on the Measuring Effectiveness Progress Reports for the OVW Program under which this award is funded.
32. **A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 90 days after the end of the award.** The Final Progress Report should be submitted to the OVW through the Grants Management System with the Report Type indicated as "Final".
33. **The recipient agrees that it will submit quarterly financial status reports to OVW** on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortBy=1>), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
34. **Program income, as defined by 2 CFR 200.80, means gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance.** Without prior approval from OVW, program income must be deducted from total allowable costs to determine the net allowable costs. In order to add program income to the OVW award, the recipient must seek approval from its program manager via a budget modification Grant Adjustment Notice (GAN) prior to generating any program income. Any program income added to the federal award must be used to support activities that were approved in the budget and follow the conditions of the OVW award. Any program income approved via budget modification GAN must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, it must be approved via a budget modification GAN by the end of the project period. If the budget modification is not submitted and approved, it could result in audit findings for the recipient.
35. **The recipient agrees to comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds.** Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office on Violence Against Women web site at: <https://www.justice.gov/sites/default/files/ovw/legacy/2010/12/08/ffata-award-term.pdf> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own and/or operate in his or her name).
36. **The recipient agrees to monitor subrecipients** to ensure that written materials or other products developed with OVW Formula Grant Program funding fall within the scope of the program and do not compromise victim safety.
37. **All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements:** "This project was supported by Grant No. _____ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and

recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."

38. **All materials and publications (written, visual, or sound) resulting from subaward activities shall contain the following statements:** "This project was supported by subaward No. _____ awarded by the state administering office for the STOP Formula Grant Program. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the state or the U.S. Department of Justice, Office on Violence Against Women."
39. **Pursuant to 2 CFR §200.315(b)**, the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. OVW reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for Federal purposes, and to authorize others to do so.

OVW also reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient ("subgrantee") of this award, for Federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor or subcontractor of this award at any tier) must obtain advance written approval from the OVW program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: **1)** using award funds to purchase ownership of, or a license to use, a copyrighted work; or **2)** incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.

40. **The recipient agrees to attend and participate in OVW-sponsored technical assistance.** Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers. The recipient's participation is critical for effective administration of the STOP Formula Grant program and to ensure adherence to statutory provisions.
41. **The recipient agrees that, before using administrative funds to attend training and technical assistance events**, including travel costs and/or registration costs, the recipient will seek approval from its program manager by submitting a Grant Adjustment Notice, along with an agenda and other relevant supporting documentation, to ensure that the training is a cost directly associated with administering the STOP Program under 28 CFR 90.17(b). The annual STOP Administrators meeting is excluded from this condition.
42. **Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day or \$81.25 per hour.** A detailed justification must be submitted to and approved by OVW prior to obligation or expenditure of such funds. Although prior approval is not required for consultant rates below these specified amounts, recipients are required to maintain documentation to support all daily or hourly rates.
43. **Recipient integrity and performance matters:**

Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OVW award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OVW awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OVV web site at: <https://www.justice.gov/ovw/grantees>, (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS), and are incorporated by reference here.

44. **The recipient agrees that no amount of the 10% administrative funding of this grant will be used for dues or membership fees to an organization conducting any type of lobbying, including advocating with government agencies for policy change.**
45. **The recipient understands and agrees that compliance with the statutory certification requirements** is an ongoing responsibility during the award period and that, at a minimum, a hold may be placed on recipient's funds for noncompliance with any of the requirements of 42 U.S.C. § 3796gg-4 (regarding rape exam payments), 42 U.S.C. § 3796gg-4(e) (regarding judicial notification), 42 U.S.C. § 3796gg-5 (regarding certain fees and costs), and 42 U.S.C. § 3796gg-8 (regarding polygraphing of sexual assault victims). Non-compliance with any of the foregoing may also result in termination or suspension of the grant or other remedial measures, in accordance with applicable laws and regulations.
46. **The recipient agrees that of the 30 percent of funds allocated for victim services, 10 percent will be distributed to culturally specific community-based organizations.** The recipient understands that "culturally specific" means "primarily directed toward racial and ethnic minority groups," which are defined by 42 USC 300u-6(g) as "American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics." Further, the recipient agrees to recognize and meaningfully respond to the needs of underserved populations and ensure that monies set aside to fund linguistically and culturally specific services and activities for underserved populations are distributed equitably among those populations.
47. **The federal share of a grant made under the state formula program may not exceed 75 percent of the total costs of the total projects described in the application, including administrative costs.** The recipient also agrees to the following:
 - 1) The costs of projects awarded to victim service providers (non-profit organizations or governmental rape crisis centers not in territories) for the purpose of providing victim services, and the cost of projects for tribes, do not count toward the total cost of the projects in calculating the match.
 - 2) Victim service providers receiving STOP subgrants will not be required by the state to provide matching dollars.
 - 3) The state will verify that victim service providers that are nonprofit organizations will be organizations that are described in section 501(c)(3) of the Internal Revenue Code of 1986 and are exempt from taxation under section 501(a) of that Code.
 - 4) The state will provide no less than 25 percent matching funds for subgrants awarded to victim service providers under any allocation other than victim services unless granted a waiver or partial waiver by OVV.
48. **The recipient agrees that no more than 5 percent of the state's award may be used to conduct public awareness or community education campaigns** or related activities to broadly address domestic violence, dating violence, sexual assault, or stalking. Grant funds may be used without limit to support, inform, and outreach to victims about available services.
49. **The recipient agrees that not less than 20 percent of the amount granted shall be allocated for programs and projects in 2 or more allocations** (victim services, law enforcement, prosecution, courts) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.
50. **The recipient agrees to provide OVV, within ten (10) days of release,** a copy of its announcement of the availability of funding under this program (e.g., the request for applications, announcement of general funding availability, or announcement of program priorities issued in connection with this program).

51. **The recipient agrees that the legal assistance eligibility requirements, as set forth below, are a continuing obligation on the part of the recipient. The legal assistance eligibility requirements are: (1)** any person providing legal assistance through a program funded under this Grant Program **(A)** has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or **(B) (i)** is partnered with an entity or person that has demonstrated expertise described in subparagraph **(A)**; and **(ii)** has completed or will complete training in connection with domestic violence, dating violence, stalking or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide; **(2)** any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a State, local, territorial, or tribal domestic violence, dating violence, sexual assault or stalking victim service provider or coalition, as well as appropriate State, local, territorial and tribal law enforcement officials; **(3)** any person or organization providing legal assistance through this Grant Program has informed and will continue to inform State, local, territorial or tribal domestic violence, dating violence, stalking or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; and **(4)** the recipient's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, dating violence, domestic violence, or child sexual abuse is an issue. The recipient also agrees to ensure that any subrecipient ("subgrantee") at any tier will comply with this provision.
52. **The recipient agrees that, in making subawards under this award,** to give priority to areas of varying geographic size with the greatest demonstration of need; to take into consideration the population of the geographic area to be served; to distribute monies equitably on a geographic basis, including nonurban and rural areas of various geographic sizes; and to identify and address the needs of underserved populations.
53. **The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws.** The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the Office of Justice Program's Office for Civil Rights at CivilRightsMOA@usdoj.gov within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by the Office of Justice Program's Office for Civil Rights or any other authorized persons. The required elements of the MOA are set forth at <https://ojp.gov/funding/Explore/SolicitationRequirements/CivilRightsRequirements.htm>, under the heading, "Civil Rights Compliance Specific to State Administering Agencies."
54. **The recipient is prohibited from drawing down any funds until OVW has reviewed and approved the recipient's implementation plan.** If the OVW review of the plan identifies any significant issues in terms of compliance with 42 U.S.C. § 3796gg-1(c)(2) and (i), the recipient will have 60 days from the date of notification of the significant issues to submit a revised plan. If the recipient does not comply within that time, then OVW may deobligate the funds and close the award.
55. **The recipient acknowledges that part of this award comes from funding under the Rape Survivor Child Custody Act (RSCCA).** Funding under the RSCCA is subject to the same requirements as the STOP funding. The recipient may receive funding under the RSCCA no more than four times.
56. **The recipient understands and agrees that it has responsibility for approval of program income earned by subrecipients.** Program income, as defined by 2 CFR 200.80, means gross income earned by a non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance. Without prior approval, program income must be deducted from total allowable costs to determine the net allowable costs. In order to add program income to a subaward, subrecipients must seek approval from the recipient prior to generating any program income. Any program income added to a subaward must be used to support activities that were approved in the budget and follow the conditions of the subaward agreement. Any program income approved by the recipient must be reported by the subrecipient to the recipient so that it is reported on the quarterly Federal Financial Report (SF-425) in

accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, the recipient must provide approval by the end of the project period. Failure to comply with these requirements may result in audit findings for both the recipient and the subrecipient.

Civil Rights/Nondiscrimination Provisions:

1. **Recipient will comply** (and will require any subgrantees or contractors to comply) **with any applicable statutorily-imposed nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 31 (U.S. Department of Justice Regulations –OJJDP Grant Programs); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations).
2. **In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing** on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the recipient will forward a copy of the findings to the Wisconsin Department of Justice (DOJ).
3. **Recipient will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs and the DOJ, if required to submit one**; otherwise, it will provide a certification to the Office for Civil Rights, Office of Justice Programs and the DOJ that it has a current EEO on file, if required to maintain one. For grantee agencies receiving less than \$25,000, or grantee agencies with less than 50 employees, regardless of the amount of the award, no EEO is required. Information about civil rights obligations of grantees can be found at <http://www.ojp.usdoj.gov/ocr/>.
4. **The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan** (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
5. **As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency**, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964, recipient must take reasonable steps to ensure that LEP persons have meaningful access to its programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipient is encouraged to consider the need for language services for LEP persons served or encountered both in developing its budgets and in conducting its programs and activities. Additional assistance and information regarding your LEP obligations can be found at <http://www.lep.gov>.
6. **In accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals** for taking action or participating in action to secure rights protected by these laws.

CERTIFICATION

Lead Agency's Chief Executive: I certify that subgrantee will comply with the above-certified assurances.

Signature of Authorized Representative (Board
Chair, Co. Executive, Mayor)

Joseph Parisi, County Executive

Date

Telephone Number

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Subgrantees should refer to the regulations cited below to determine the certification to which they are required to attest. Subgrantees should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the subgrantee certifies that:

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

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The Subgrantee certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the subgrantee has received a specific written determination from OJP that neither suspension nor debarment of the subgrantee is necessary to protect the interests of the Government in this case.

(d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

(e) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the subgrantee is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. FEDERAL TAXES

A. If the subgrantee is a corporation, the subgrantee certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to OJP at Ojpccompliancereporting@usdoj.gov, and, after such disclosure, the subgrantee has received a specific written determination from OJP that neither suspension nor debarment of the subgrantee is necessary to protect the interests of the Government in this case.

B. Where the subgrantee is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The subgrantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must

provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or (2)

Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the subgrantee, I hereby certify that the subgrantee will comply with the above certifications.

CERTIFICATION

Lead Agency's Chief Executive: I certify that Subgrantee will comply with the above-certified assurances.

Signature of Authorized Representative (Board
Chair, Co. Executive, Mayor)

Joseph Parisi, County Executive

Date

Telephone Number