

**State of Hawaii  
Department of  
The Attorney General**



**REQUEST FOR PROPOSALS:**

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

**RFP Number:  
AG-CPJAD-VAWA-2003-WF**

**September 17, 2004**

**REQUEST FOR PROPOSALS  
Victim Services for Adult Female Victims of Domestic Violence or Sexual Assault  
RFP No. AG-CPJAD-VAWA-2003-WF**

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, is requesting proposals from qualified applicants to enhance existing services or create new programs that provide victim services to adult female victims of domestic violence or sexual assault. The contract term will be from November 2, 2004 through October 31, 2005.

Sealed proposals (one original and five copies) must be postmarked (United States mail) before midnight on October 15, 2004 or hand delivered by 4:00 p.m., Hawaii Standard Time (H.S.T.), on October 15, 2004 to:

Department of the Attorney General  
Crime Prevention and Justice Assistance Division  
235 South Beretania Street, Suite 401  
Honolulu, Hawaii 96813  
Attention: Ms. Stacey W. Mikelson  
RFP# AG-CPJAD-VAWA-2003-WF

Proposals postmarked (United States mail) after midnight on October 15, 2004 or hand delivered after 4:00 p.m., H.S.T., on October 15, 2004 will not be considered and will be returned to the applicant unopened. There are no exceptions to this requirement.

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, will conduct an orientation on October 4, 2004 from 9:00 a.m. to 11:00 a.m., H.S.T. The location of the orientation meeting will be at:

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

All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 4:30 p.m., H.S.T., on October 4, 2004. All written questions will be sent a written response from the State on October 8, 2004.

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

## **PUBLIC NOTICE TO OFFERORS**

### **REQUEST FOR PROPOSALS AG-CPJAD-VAWA-2003-WF**

The Department of the Attorney General is soliciting proposals from qualified applicants to provide victim services in the State of Hawaii to adult female victims of domestic violence or sexual assault.

Copies of the Request for Proposals (RFP) may be obtained from the Crime Prevention and Justice Assistance Division, 235 South Beretania Street, Suite 401, Honolulu, Hawaii, at no cost beginning at 8:30 a.m. (H.S.T.) September 17, 2004. The RFP can also be downloaded from the Crime Prevention and Justice Assistance Division web site beginning at 8:30 a.m. (H.S.T.) September 17, 2004. The website is located at: [www.cpja.ag.state.hi.us](http://www.cpja.ag.state.hi.us) (click on "Grants & Planning" and scroll down to the "Request for Proposals").

Sealed proposals with pricing will be received up to 4:00 p.m. (H.S.T.) October 15, 2004 at the Crime Prevention and Justice Assistance Division, 235 South Beretania Street, Suite 401, Honolulu, Hawaii. Proposals postmarked (United States mail) after midnight on October 15, 2004 or hand delivered after 4:00 p.m. (H.S.T.) October 15, 2004 will not be considered and will be returned to the applicant unopened. There are no exceptions to this requirement.

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, will conduct an orientation on October 4, 2004 from 9:00 a.m. to 11:00 a.m. (H.S.T.). The location of the orientation meeting will be at:

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

All prospective applicants are encouraged to attend the orientation.

The State reserves the right to cancel this RFP and reject any and all proposals or to waive any defect, when in its opinion, such cancellation, rejection, or waiver will be in the best interests of the State of Hawaii. The State of Hawaii assumes no financial responsibility in the preparation of any responses to this RFP.

Telephone inquiries regarding this RFP should be directed to Ms. Stacey W. Mikelson at: Oahu (808) 586-1389 or fax (808) 586-1373; from Molokai and Lanai 1-800-468-4644, ext. 61389; from Maui 984-2400, ext. 61389; from Kauai 274-3141, ext. 61389; from Hawaii 974-4000, ext. 61389.

Department of the Attorney General,  
Crime Prevention and Justice Assistance Division  
web site ([www.cpja.ag.state.hi.us](http://www.cpja.ag.state.hi.us))  
September 17, 2004

Honolulu Star Bulletin / Hawaii Tribune-Herald / West Hawaii Today / The Maui News /  
The Garden Island  
September 17, 2004

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# **Section 1**

## **Administrative Overview**

## **Section 1**

### **Administrative Overview**

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

#### **I. Authority**

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

#### **II. RFP Organization**

This RFP is organized into five sections:

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

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

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

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

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

#### **III. Contracting Office**

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

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

#### IV. Procurement Timetable

<u>Activity</u>	<u>Scheduled Date</u>
Public notice announcing RFP	<u>Sept. 17, 2004</u>
Distribution of RFP	<u>Sept. 17, 2004</u>
RFP orientation session	<u>Oct. 4, 2004</u>
Closing date for submission of written questions for written responses	<u>Oct. 4, 2004</u>
State purchasing agency's response to applicants' written questions	<u>Oct. 8, 2004</u>
Proposal submittal deadline	<u>Oct. 15, 2004</u>
Proposal evaluation period	<u>Oct. 15-26, 2004</u>
Provider selection and award	<u>Oct. 28, 2004</u>
Notice of statement of findings and decisions	<u>Oct. 4, 2004</u>
Contract start date	<u>Nov. 2, 2004</u>

#### V. Orientation

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, will conduct an orientation on October 4, 2004 from 9:00 a.m. to 11:00 a.m. (H.S.T.). The location of the orientation meeting will be at:

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

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted and spontaneous answers provided at the orientation at the state purchasing agency's discretion. Verbal answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than 4:30 pm. (H.S.T.) on October 4, 2004, in order to generate a written state purchasing agency response.

## VI. Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in Section 2 of this RFP. The deadline for submission of written questions is 4:30 p.m. (H.S.T.) on October 4, 2004. All written questions will receive a written response from the state purchasing agency. State purchasing agency responses to applicant written questions will be sent on October 8, 2004.

## VII. Submission of Proposals

Proposals must contain all components. Please refer to the Competitive POS Application Checklist (Section 5, Attachment A) for information on: 1) where to obtain the forms/instructions; 2) additional program specific requirements; and 3) the order in which all components of the application should be assembled and submitted to the state purchasing agency. Proposals must contain the following components:

- (1) ***POS Proposal Application (Form SPO-H-200A), including Title Page (Form SPO-H-200) and Table of Contents*** - Applicant shall submit comprehensive narratives that addresses all of the issues contained in the POS Proposal Application, including a cost proposal/budget. (Refer to Section 3 of this RFP.)
- (2) ***Competitive POS Application Check List*** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; and the order in which all components should be assembled and submitted to the state purchasing agency.
- (3) ***Registration Form (SPO-H-100A)*** – If applicant is not pre-registered with the State Procurement Office (business status), this form must be submitted with the application. If applicant is unsure as to their pre-registration status, they may check the State Procurement Office website at:  
<http://www.state.hi.us/icsd/dags/spo.html>  
Click on *Health and Human Services*  
Click on *The Registered List of Private Providers for Use with the Competitive Method of Procurement*  
Applicants may also call the purchasing agency at 586-1389 or the State Procurement Office at 587-4706.
- (4) ***Certifications*** - Federal and/or State certifications, as applicable.
- (5) ***Program Specific Requirements*** – Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the POS Proposal Application, as applicable.

Multiple or alternate proposals shall **not** be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals but clearly indicates a primary proposal, the primary proposal

shall be considered for award as though it were the only proposal submitted by the applicant.

**One original and five (5) copies of the proposal are required.** Proposals must be postmarked or hand delivered by the date and time designated. Any proposal postmarked or received after the designated date and time shall be rejected. Faxed proposals, proposals submitted on diskette/CD, or proposals transmitted via email are **not** permitted.

## **VIII. Discussions with Applicants Prior to, or After Proposal Submittal Deadline**

Discussions may be conducted with applicants who submit proposals determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance with the administrative rules.

## **IX. Additional Materials and Documentation**

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

## **X. RFP Amendments**

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

## **XI. Final Revised Proposals**

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the date and time specified by the state purchasing agency. Any final revised proposal post-marked or received after the designated date and time will be rejected. If a final revised proposal is not submitted, the previous submittal will be construed as their best and final offer/proposal. *Only the section(s) of the proposal that are amended shall be submitted by the applicant, along with the POS Proposal Application Title Page (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

## **XII. Cancellation of Request for Proposal**

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

## **XIII. Costs for Proposal Preparation**

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

#### **XIV. Provider Participation in Planning**

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

#### **XV. Rejection of Proposals**

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

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

- (1) Rejection for failure to cooperate or deal in good faith. (Section 3-141-201)
- (2) Rejection for inadequate accounting system. (Section 3-141-202)
- (3) Late proposals (Section 3-143-603)
- (4) Inadequate response to request for proposals (Section 3-143-609)
- (5) Proposal not responsive (Section 3-143-610 (1))
- (6) Applicant not responsible (Section 3-143-610 (2))

#### **XVI. Opening of Proposals**

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

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

## **XVII. Notice of Award**

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

## **XVIII. Protests**

Any applicant may file a protest (using a prescribed form provided by the administrator of the State Procurement Office available on the State Procurement Office website whose address is on the Competitive POS Application Checklist located in the Attachments section of this RFP) against the awarding of the contract as long as an original and two copies of the protest is served upon the head of the state purchasing agency that conducted the protested procurement, and the procurement officer who handled the protested procurement, by United States mail, or by hand-delivery. A Notice of Protest regarding an award of contract and related matters that arise in connection with a procurement made under a competitive purchase of services shall be served within five working days of the postmark of the notice of findings and decision sent to the protester. The Notice of Protest form, SPO-H-801, is available on the SPO website (see the POS Proposal Checklist in Section 5 of this RFP). Only the following matters may be protested:

- (1) a state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) a state purchasing agency's failure to follow any rule established pursuant to Chapter 103F of the Hawaii Revised Statutes; and
- (3) a state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

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

## **XIX. Availability of Funds**

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

## **XX. Criteria by Which the Performance of the Contract Will be Monitored and Evaluated**

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

- (1) Performance/Outcome Measures
- (2) Output Measures
- (3) Quality of Care/Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

## **XXI. General and Special Conditions of Contract**

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

## **XXII. Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201. Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

The contractor agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.

## **Section 2**

# **Service Specifications**

## **Section 2**

### **Service Specifications**

#### **I. Introduction**

##### **A. Background**

The Governor of the State of Hawaii designated the Department of the Attorney General, State of Hawaii (“Department”) to be the administrator for the S.T.O.P. (Services-Training-Officers-Prosecutors) Violence Against Women Formula Grant Program.

The 1994 Violence Against Women Act (VAWA) authorizes federal financial assistance to states to develop and strengthen effective law enforcement and prosecution strategies and victim services in cases involving violent crimes against women. S.T.O.P. grants lay the foundation for on-going efforts to restructure and strengthen the criminal justice response to reduce violence against women. The S.T.O.P. Program also calls for the development and enhancement of victim services in cases involving violence crimes against women.

S.T.O.P. grants and sub grants must meet one or more of the following eleven purpose areas:

- Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes of sexual assault and domestic violence.
- Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing, enlarging, or strengthening victim services programs, including sexual assault and domestic violence programs, developing or improving delivery of victim services to racial, cultural, ethnic, and language minorities, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting

- and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault and domestic violence.
- Developing, enlarging, or strengthening programs addressing stalking.
- Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including crimes of sexual assault and domestic violence.
- Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
- Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
- Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.
- Providing assistance to victims of domestic violence and sexual assault in immigration matters.

The S.T.O.P. Program requires and encourages collaboration among service providers, prosecutors, and police – those who encounter victims of domestic and sexual violence.

States must allocate 25% of the VAWA funds to law enforcement, 25% to prosecution, 30% to non-profit victim services, and 5% to the Judiciary. The remaining 15% may be allocated at the State's discretion within the parameters of the VAWA.

The funding for this RFP represents the allocation for non-profit victim services.

## **B. Purpose or Need**

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

The Implementation Plan includes an overview of the process used to develop the plan, documentation from participating organizations regarding their involvement in the development and implementation of the plan; major shifts in direction, because of

reevaluation or reassessment of previous efforts; a general explanation of how the VAWA funds will be distributed across law enforcement, prosecution, and victim services categories; and a description of how the success of grant-funded activities will be evaluated. The Implementation Plan identifies the funding priorities for the VAWA grant funds and the types of programs and projects the State intends to support with VAWA grant dollars.

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

Developed in January, 2004, the *FY 2031 Strategic Plan for the STOP Violence Against Women Formula Grant* provided a more redefined approach to the current efforts undertaken over the past five years. This effort brought about the identification of issues and concerns across the different systems addressing domestic violence and sexual assault, as well as funding resources available to victims.

The current plan (*FY 2003 Strategic Plan for the STOP Violence Against Women Formula Grant*) represents the third year of the three-year implementation plan. As in earlier Strategic Plans, allocations for police, prosecutors, and service providers continue as in previous years (25% - law enforcement, 25% - prosecution, 30% - non-profit victim services, 5% - Judiciary, 15% - discretionary).

**C. Description of the goals of the service**

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

**D. Description of the target population to be served**

Adult female victims of domestic violence or sexual assault.

**E. Geographic coverage of service**

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

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

Total Funding: \$95,000 (with a 25% match; cash or in-kind).

Source of Funding: U.S. Department of Justice, Office of Justice Programs, FY 2002 S.T.O.P. Violence Against Women Formula Grant  
Federal funds; no match requirement

Availability Period: November 2, 2004 – October 31, 2005.

*(Although contracts will be awarded for a single term or for twelve (12) months, contracts may be renewed for an additional twelve (12) months. Renewal of contracts remains subject to the availability of funding and satisfactory project performance.)*

## II. General Requirements

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

1. The APPLICANT shall be a non-profit, nongovernmental victim services agency.
2. The APPLICANT shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201, which can be found on the SPO website (See Section 5, POS Proposal Checklist, for the website address).
3. The APPLICANT shall comply with the guidelines set forth in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 3796 et seq., as amended, and all applicable federal regulations and guidelines, including but not limited to Office of Management and Budget Guidance Manual entitled "Financial and Administrative Guide for Grants."
4. The APPLICANT shall develop and maintain fiscal, statistical, and administrative records pertaining to services as specified by the Department.
5. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Drug-Free Workplace Requirements which meets the requirements of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D), hereinafter referred to as the "Drug-Free Workplace Certification."
6. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Debarment, Suspension Ineligibility and Voluntary Exclusion, hereinafter referred to as the "Debarment Certification."
7. The APPLICANT shall complete, execute and submit to the Department a Certification Regarding Lobbying, hereinafter referred to as the "Lobbying

Certification,” and any subsequent disclosure forms required under Section 1352, Title 31 U.S.C.

8. The APPLICANT shall comply with the non-discrimination requirements of the Act, Title VI of the Civil Rights Act of 1964 (with respect to race, sex, religion, creed, national origin), Title VII of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973 (handicap), as amended, Title IX of the Education Amendments of 1972 (race, sex, religion, creed, national origin), the Age Discrimination Act of 1975 (age), Executive Order 12138, 44 C.F.R. 29637 (affirmative action for women’s business), the United States Department of Justice Non-Discrimination Regulation, 28 C.F.R. Part 42, Subparts C, D, E and G, the Americans with Disabilities Act of 1990 42 U.S.C. §§ 12101 et seq., and the Hawaii State Fair Employment Practices Act, Chapter 378, Hawaii Revised Statutes, and all other applicable federal, state and local laws, rules and regulations.
9. The APPLICANT shall complete, execute and submit to the Department a Certification of Non-Supplanting hereinafter referred to as the “Non-supplanting Certification.” The APPLICANT assures the Department that federal funds provided pursuant to a contract awarded under this RFP, will be used to supplement existing funds for program activities and not replace (supplant) nonfederal funds that have been appropriated for the same purpose.
10. The APPLICANT shall complete, execute and submit to the Department an Acceptance of Conditions hereinafter referred to as the “Acceptance of Conditions Certification.”
11. The APPLICANT assures the Department that if it is required to formulate an Equal Employment Opportunity Program in accordance with 28 C.F.R. 42.301 et seq., it will submit a certification to the Department that a current program is on file.

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

No planned secondary purchasers.

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

☒ Allowed ☐ Not Allowed

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

☐ Single ☐ Multiple ☒ Single & Multiple

There is no predetermined number of contracts to be awarded.

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

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

*(Although contracts will be awarded for a single term or for twelve (12) months, contracts may be renewed for an additional twelve (12) months. Renewal of contracts remains subject to the availability of funding and satisfactory project performance.)*

**F. RFP contact person**

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

Contact Person: Ms. Stacey W. Mikelson at (808) 586-1389, fax (808) 586-1373, or email: stacey.w.mikelson@hawaii.gov

### **III. Scope of Work**

The scope of work encompasses the following tasks and responsibilities:

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

The State requests proposals to develop, enhance and provide core services for adult female victims of domestic violence and sexual assault. Core services may include, but are not limited to the following:

- ☐ Advocacy
- ☐ Case Management
- ☐ Counseling
- ☐ Crisis Response

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

Children's services supported with S.T.O.P. funds must show an inextricable link to and be the direct result of providing services for a victim. For example, S.T.O.P. funds may support the expansion of shelter services for battered women to include programs for their children. S.T.O.P. funds may not be used to support services that focus exclusively on children or to develop sexual assault or domestic violence curricula for schools.

**Problem Statement:** The APPLICANT must clearly define the problem the agency is proposing to address and the services the agency proposes to deliver. Include data that define the size and scope of the problem. Explain the impact of the problem on your agency, system, or community. Explain how this problem is either not addressed or is not adequately addressed in the current service delivery system. Include supporting hard data. The problem statement should identify the target population to be served, the number of individuals to be served and the geographic area(s) to be served.

**Approach to Project:** The APPLICANT shall provide an overview of their understanding of the tasks involved in accomplishing the objectives of the project. APPLICANTS are asked to submit an overview of their project plan and to identify what would make the APPLICANT uniquely qualified to perform this contract. APPLICANTS must describe, in detail, the services they are proposing to develop and deliver. APPLICANTS must include a description of any outreach materials, videos, training tools or manuals that may result from this project. APPLICANTS must clearly state the goals, objectives and activities of the project service delivery plan. Goals, objectives, and activities must be logically linked to each other and to output and performance measurements.

- Goal: A goal is a broad statement about an undesirable condition that you would like to improve or a desired state of affairs toward which to strive. Project goals should be clearly stated and realistic. For example: to reduce the recidivism of substance-abusing parolees; to improve the prosecution of sex assault or domestic violence cases.
- Objective: State the objectives, which are specific, measurable outcomes of the project. The objective should state who or what will change, in which direction (increase or decrease), by how much, and by when. It is imperative that objectives be both achievable and measurable. For example: 30% of parolees who enter a substance abuse treatment program will successfully complete the program during the project period; to reduce sex assault case processing from receipt of case to prosecutor's charging decision from 10 months to 3 months.
- Activities: State the methods that will be utilized to achieve the objectives. Include activities, staffing (number and type), equipment (description and justification), clients to be served, client selection criteria, etc. Program activities must be developed within the confines of the project's resources.

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

### **1) Personnel**

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

### **2) Administrative**

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

### **3) Quality assurance and evaluation specifications**

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

The Department shall monitor the project during the project period to evaluate the results of the program. During these monitoring visits the APPLICANT must make available to the Department for review: project files, fiscal records,

documentation for cost category expenditures, time sheets, data collection results, etc.

#### **4) Output and performance/outcome measurements**

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

APPLICANTS must provide baseline data from which measurable outcomes can be established. Outcome measures may be quantitative or qualitative. A *quantitative* indicator can be expressed as a single measure (number of victims served), or as a degree of change (increase/decrease in number of domestic violence cases). *Qualitative* indicators can be used where quantitative measures are not feasible. It is not possible, for example, to assign a direct quantitative measure to the extent to which neighborhoods have been made safer through crime watch programs. However, a qualitative (or indirect) measure can be used through the use of anecdotal information, surveys, direct observation, etc.

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

#### **5) Reporting requirements for program and fiscal data**

##### **a. Required Program Reports:**

1. The APPLICANT shall submit six month progress reports and a final progress report at the end of the project summarizing and analyzing required outcome data and reports on accomplishments and challenges. The report should:
  - ☐ Include a brief description of the program.
  - ☐ List each goal and objective, and describe the progress made towards achieving each.
  - ☐ Describe the program activities to date.
  - ☐ Report performance indicators that document the accomplishment of the objectives.

- Describe how the project impacted/improved the criminal justice system.
- Describe any problems encountered, how they impacted the program and how they were resolved.

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

b. Required Fiscal Reports

1. The APPLICANT must maintain accounting procedures and practices acceptable to the Department, and books, records, documents and other evidence which sufficiently and properly reflect all direct and indirect expenditures and all interest or other income earned as the result of funds provided pursuant to the contract awarded pursuant to this RFP.
2. Any funds provided pursuant to a contract awarded under this RFP which are unencumbered on the date the project terminates shall be returned to the Department; all funds provided under the contract awarded pursuant to this RFP which are encumbered but not disbursed within ninety (90) days after the project terminates shall be returned to the Department.
3. The APPLICANT must submit a *Request for Funds and Cash Balance Report* by the 15<sup>th</sup> of each month.
4. The APPLICANT must submit a *Project Expenditure & Obligations Report* by the 15<sup>th</sup> of April, July, October, and January.
5. The source of funding for this grant is federal funds and the provision of Hawaii Revised Statutes, Section 29-15 shall apply.

**6) Pricing or pricing methodology to be used**

The method of pricing shall be reimbursement of actual expenditures.

## **Section 3**

# **POS Proposal Application**

## **Section 3**

### **POS Proposal Application**

#### **General instructions for completing applications:**

- *POS Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the POS Proposal Application should be consecutive, beginning with page one and continuing through the complete proposal.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the POS Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are encouraged to take Section 4, Proposal Evaluation, into consideration when completing the proposal.*
- *This form (SPO-H-200A) is available on the SPO website (for the website address see the Competitive POS Application Checklist in Section 5, Attachments). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

#### **The POS Proposal Application comprises the following sections:**

- *Title Page*
- *Table of Contents*
- *Background and Summary*
- *Experience and Capability*
- *Personnel: Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

#### **I. Background and Summary**

This section shall clearly and concisely summarize and highlight the contents of the proposal in such a way as to provide the State with a broad understanding of the entire proposal. Include a brief description of the applicants' organization, the goals and objectives related to the service activity, and how the proposed service is designed to meet the problem/need identified in the service specifications.

## **II. Experience and Capability**

### **A. Necessary Skills and Experience**

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services. The applicant shall also provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services.

Include in the listing, the contract number, dates of the contract period, name and phone number for the point of contact. The Contracting Office reserves the right to check references.

### **B. Quality Assurance and Evaluation**

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

### **C. Coordination of Services**

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

### **D. Facilities**

The applicant shall provide a description of its facilities and demonstrate their adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable, and special equipment that may be required for the services.

## **III. Personnel: Project Organization and Staffing**

### **A. Proposed Staffing**

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

### **B. Staff Qualifications**

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

**C. Supervision and Training**

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

**D. Organization Chart**

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

**IV. Service Delivery**

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

**V. Financial**

**A. Pricing Structure**

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

**1) Pricing Structure Based on Cost Reimbursement**

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

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

**B. Other Financial Related Materials**

**1) Accounting System**

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

**VI. Other**

**A. Litigation**

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

## **Section 4**

# **Proposal Evaluation**

## Section 4 Proposal Evaluation

### I. Introduction

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

### II. Evaluation Process

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

The evaluation will be conducted in three phases as follows:

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

#### A. Evaluation Categories and Threshold

<u>Evaluation Categories</u>	<u>Possible Points</u>
<b>Mandatory Requirements</b>	<b>Pass or Rejected</b>
<b>POS Proposal Application</b>	<b>100 Points</b>
Background and Summary	10 points
Experience and Capability	20 points
Personnel: Project Organization and Staffing	10 points
Service Delivery	50 points
Financial	10 Points
<b>TOTAL POSSIBLE POINTS</b>	<b>100 Points</b>

### III. Evaluation Criteria

#### A. Phase 1 - Evaluation of Proposal Requirements

##### (1) *Mandatory Administrative Requirements*

- Application Checklist
- Registration (if not pre-registered with the State Procurement Office)

##### (2) *Mandatory POS Proposal Application Requirements*

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

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

##### (1) *Background and Summary (10 Points)*

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

##### (2) *Experience and Capability (20 Points)*

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

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

- Demonstrated capability to coordinate services with other agencies and resources in the community.
- Adequacy of facilities relative to the proposed services.

**(3) *Personnel: Project Organization and Staffing (10 Points)***

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

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

**(4) *Service Delivery (50 Points)***

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

**(5) *Financial (10 Points)***

Pricing structure based on cost reimbursement:

- Personnel costs are reasonable and comparable to positions in the community.
- Non-personnel costs are reasonable and adequately justified.
- To what extent does the budget support the scope of service and requirements of the Request for Proposal?
- Adequacy of accounting system.

**C. Phase 3 - Recommendation for Award**

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

# **Section 5**

## **Attachments**

## **Section 5**

### **Attachments**

#### **Attachment**

#### **Document**

A	Competitive POS Application Checklist
B	POS Proposal Application - Sample Table of Contents
C	Certifications
	Certification of Non-Supplanting
	Acceptance of Conditions
	Certification of Non-Discrimination
	Certification Regarding Drug-Free Workplace
	Certification (EEOP)
	Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
	Certification Regarding Lobbying

**Attachment A**

**Competitive POS  
Application Checklist**

# Competitive POS Application Checklist

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

RFP No.: AG-CPJAD-VAWA-2002-WF

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

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
<b>General:</b>				
1. POS Proposal Application Title Page (SPO-H-200)	Section 1, RFP	SPO Website*	X	
2. Competitive POS Application Checklist	Section 1, RFP	Attachment A	X	
3. Table of Contents	Section 5, RFP	Section 5, RFP	X	
4. POS Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
5. Registration Form (SPO-H-100A)	Section 1, RFP	SPO Website*	(Required if not Pre-Registered)	
6. Tax Clearance Certificate (Form A-6)	Section 1, RFP	SPO Website*		
7. Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website*	X	
SPO-H-205B	Section 3, RFP	SPO Website*		
SPO-H-206A	Section 3, RFP	SPO Website*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*	X	
SPO-H-206D	Section 3, RFP	SPO Website*		
SPO-H-206E	Section 3, RFP	SPO Website*		
SPO-H-206F	Section 3, RFP	SPO Website*	X	
SPO-H-206G	Section 3, RFP	SPO Website*		
SPO-H-206H	Section 3, RFP	SPO Website*	X	
SPO-H-206I	Section 3, RFP	SPO Website*	X	
SPO-H-206J	Section 3, RFP	SPO Website*		
<b>Certifications:</b>				
8. Federal Certifications				
Non-Supplanting	Section 2, RFP	Section 5, RFP	X	
Acceptance of Conditions	Section 2, RFP	Section 5, RFP	X	
Non-Discrimination	Section 2, RFP	Section 5, RFP	X	
Drug-Free Workplace Certification	Section 2, RFP	Section 5, RFP	X	
Equal Employment Opportunity Plan	Section 2, RFP	Section 5, RFP	X	
Debarment Certification	Section 2, RFP	Section 5, RFP	X	
Lobbying Certification	Section 2, RFP	Section 5, RFP	X	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

**Attachment B**

**Sample  
Table of Contents  
For the  
POS Proposal Application**

## POS Proposal Application Table of Contents

<b>I.</b>	<b>Background and Summary .....</b>	<b>1</b>
<b>II.</b>	<b>Experience and Capability</b>	
	A. Necessary Skills and Experience .....	2
	B. Quality Assurance and Evaluation.....	3
	C. Coordination of Services.....	4
	D. Facilities .....	5
<b>III.</b>	<b>Personnel: Project Organization and Staffing</b>	
	A. Proposed Staffing.....	6
	B. Staff Qualifications .....	7
	C. Supervision and Training.....	8
	D. Organization Chart (Program & Organization-wide - attached)	
<b>IV.</b>	<b>Service Delivery .....</b>	<b>9</b>
<b>V.</b>	<b>Attachments</b>	
	<b>A. Cost Proposal</b>	
	1. SPO-H-205 Proposal Budget for FY 2000 & 2001	
	2. SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	3. SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	4. SPO-H-206C Budget Justification - Travel: Interisland	
	5. SPO-H-206E Budget Justification - Contractual Services - Administrative	
	<b>B. Other Financial Related Materials</b>	
	1. Financial Audit for fiscal year ended June 30, 1998.	
	<b>C. Federal Certifications</b>	
	1.	
	<b>D. Program Specific Requirements</b>	
	1.	

# **Attachment C**

## **Certifications**

DEPARTMENT OF THE ATTORNEY GENERAL  
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-SUPPLANTING

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

SUBMITTED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

### ACCEPTANCE OF CONDITIONS

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

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

SUBMITTED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

CERTIFICATION OF NON-DISCRIMINATION

I certify that the applicant agency will comply with and will insure compliance by its subgrantees and contractors with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and 42 USC 3789 (d); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act (ADA) of 1990; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Subparts C, D, E, and G; and the Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39. No person shall, on the grounds of race, color, religion, national origin, sex, or disability, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity funded in whole or in part with funds made available under this title from the U.S. Department of Justice through the Department of the Attorney General, Crime Prevention and Justice Assistance Division. The applicant agency also certifies that, if required to formulate an Equal Employment Opportunity Program (EEOP) in accordance with 28 CFR 42.301, et. seq., it will maintain a current one on file. Noncompliance with the discrimination regulations may result in the suspension or termination of funding.

SUBMITTED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

AG/CPJAD #15    01/96

DEPARTMENT OF THE ATTORNEY GENERAL

CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION

INSTRUCTIONS

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

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

DEPARTMENT OF THE ATTORNEY GENERAL  
CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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

(f) taking one of the following actions with respect to any employee who is so convicted:

(1) taking appropriate personnel action against such an employee, up to and including termination; or

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

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

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

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
County

\_\_\_\_\_  
County

SUBMITTED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

***CERTIFICATION***

***Grant Title:***

***Grantee Name:***

***Address:***

***Contact Person:***

***Tel. #:***

***Grant Number:***

***Award Amount:***

***Date and effective duration of EEOP:***

***Policy Statement:***

**CERTIFICATION (EEOP ON FILE)**

Certification Statement:

I, \_\_\_\_\_ [agency executive officer], certify that the \_\_\_\_\_ [agency] has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301, et seq., subpart E, that it has been signed into effect by the proper agency authority and disseminated to all employees, and that it is on file in the Office of \_\_\_\_\_ [name], \_\_\_\_\_ [address], \_\_\_\_\_ [title], for review or audit by officials of the cognizant State planning agency or the Office for Civil Rights, Office of Justice Programs as required by relevant laws and regulations.

\_\_\_\_\_  
[signature]

\_\_\_\_\_  
[title]

\_\_\_\_\_  
[date]

=====

**CERTIFICATION (NO EEOP REQUIRED)**

I HEREBY CERTIFY THAT THE FUNDED AGENCY HAS LESS THAN 50 EMPLOYEES AND THEREFORE IS NOT REQUIRED TO MAINTAIN AN EEOP, PURSUANT TO 28 CFR 42.301, ET SEQ.

\_\_\_\_\_  
[signature]

\_\_\_\_\_  
[title]

\_\_\_\_\_  
[date]

Expiration Date: 12/31/98  
Revised 2/22/96

## CERTIFICATION REGARDING LOBBYING

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

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

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

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here \_\_\_\_\_ and complete and submit Standard Form # LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

\_\_\_\_\_  
Name and Address of Organization

\_\_\_\_\_  
Name of Authorized Individual  
Signature and date

\_\_\_\_\_  
Application No.

\_\_\_\_\_  
Name of OJP Agency

