



November 4, 2024

Vern R. Pierson  
District Attorney  
El Dorado County – District Attorney's Office  
778 Pacific Street  
Placerville, CA 95667

**DELIVERED VIA E-MAIL:** «Justene.Cline@edcgov.us»

Dear Vern Pierson:

Your proposal has been selected to receive funding through the Child Advocacy Center (KC) Program of the California Governor's Office of Emergency Services (Cal OES). Provided there are no successful appeals, and pending completion and/or revision of all required application forms, your agency will be awarded the amount of \$110,600 of 24 VOCA, \$27,650 of 24 VOCA Match, \$89,400 of 24 VCGF, with a total Project Cost of \$227,650, for the Grant Subaward performance period beginning April 1, 2025, and ending March 31 2026.

Please log in to Grant Central System to see all required revisions and/or contact the assigned Grants Analyst with questions.

Tosha Enos will be the Program Specialist assigned to your Grant Subaward and will be contacting you within the next few weeks to assist you in finalizing this process. Additional information can be found in the *Subrecipient Handbook* on the Cal OES website at [www.caloes.ca.gov](http://www.caloes.ca.gov).

We look forward to the successful implementation of this project. If you have any questions concerning this process, please contact Tosha Enos at 916-845-8139 or via e-mail at [Tosha.Enos@caloes.ca.gov](mailto:Tosha.Enos@caloes.ca.gov).

Sincerely,

NANCY WARD  
Director



3650 SCHRIEVER AVENUE, MATHER, CA 95655  
(916) 845-8506 TELEPHONE (916) 845-8511 FAX  
[www.CalOES.ca.gov](http://www.CalOES.ca.gov)

The California Governor's Office of Emergency Services (Cal OES) is soliciting applications for the following Non-Competitive Funding Opportunity:

Program:

Child Advocacy Center - KC24

Description:

The purpose of the Program is for Child Advocacy Centers to provide direct victim services to child abuse victims/survivors and their families through a multidisciplinary team approach. These services must include victim-centered, trauma-informed forensic interviews, advocacy, direct or referral to therapy/counseling, and referrals for medical exams.

Grant Subaward Performance Period

Apr 01, 2025 - Mar 31, 2026

Eligible Applicant:

County of El Dorado - District Attorney's Office

Authorized Agent:

Justene Cline, Administrative Analyst

Vern Pierson, District Attorney

Available Funding Source(s) Allocation:

Funding Source Name	Fiscal Year	Type	Amount Available	Match Amount Available	Available Funding Total
2024 VCGF	2024	State	\$89,400	\$0	\$89,400
2024 VOCA	2024	Federal	\$110,600	\$27,650	\$138,250
			\$200,000	\$27,650	\$227,650

Required Grant Subaward Assurances:

- g Standard Certification of Compliance
- g Program Standard Assurance Addendum
- g Federal Fund Grant Subaward Assurances - 2024 VOCA.pdf

Application Due Date:

Jan 17, 2025



## FISCAL YEAR 2024-25 CHILD ADVOCACY CENTER (KC) PROGRAM SUPPLEMENTAL

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The Provisions of this Program Supplemental provide the programmatic requirements and supersede previous Request for Applications and conflicting administrative and fiscal requirements in the [Subrecipient Handbook \(SRH\)](#). Applicants are strongly encouraged to review the SRH, which outlines the requirements that apply to Cal OES Victim Services Branch Grant Subawards.

### A. PREREQUISITES

Before the Grant Subaward performance period begins, Applicants must:

- **Not** have an exclusion record in SAM. An exclusion record in SAM indicates that a contractor (agency) is listed in the federal government-wide system for debarment and suspension. An agency that is debarred or suspended is excluded from activities involving federal financial and nonfinancial assistance and benefits. [Check SAM status](#).
- Be registered with the California Department of Justice's Registry of Charitable Trusts with a "current," "exempt," or "pending" status (applied to non-profit organizations only). [Check non-profit status](#).
- Have a current registration on the IRS Tax Exempt Organization Search website (e.g., must not be on the Auto-Revocation List). If an Applicant is on the Auto-Revocation List, they must provide documentation that substantiates they have been reinstated. [Check IRS Status](#).
- Have written Proof of Authority that certifies the Authorized Agent is authorized by the governing body (e.g., County Board of Supervisors, City Council, or Governing Board) to enter into a Grant Subaward with Cal OES.

The written authorization must include the following: the individual or individuals (by title) who are authorized to act as the Authorized Agent(s) on behalf of the Subrecipient, the signature of the governing

body representative, the date signed, and a statement that the Authorized Agent has authority to enter into a Grant Subaward and (if applicable) enter into a Grant Subaward Amendment with Cal OES. (SRH 1.055) The Proof of Authority must be uploaded in Grants Central System (GCS) with the submission of the Grant Subaward Application.

The SRH will be updated and this Program Supplemental supersedes the 2024 SRH.

## B. FUNDING INFORMATION

Detailed information on all VS Branch federal fund sources can be found in the [VS Branch Federal Fund Information Guide](#). Applicants are **strongly encouraged** to review this document to familiarize themselves with the requirements for all fund sources that support this Program.

Applicable federal grant award numbers can be found on the Grant Subaward Face Sheet.

The Program is supported through the following funds:

1. Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program (Formula Grant Program)
  - Supports eligible crime victim assistance programs.
  - Requires the use of volunteers. Applicants with a compelling reason for not using volunteers must provide a justification in the Programmatic Narrative.
  - Requires a cash and/or in-kind match equal to 20 percent of the total project cost. Applicants may request a partial or full match waiver. To request a match waiver, Applicants must upload the VOCA Match Waiver Request Form in GCS as part of their application.

2. Victims of Crime Funds (State General Funds)

- Supplements the decrease to the VOCA Victim Assistance Grant Formula Program funds for the Grant Subaward performance period only.
- One-time funding used to minimize the impact of the reduction of VOCA Victim Assistance Formula Grant Program funds.
- There is no match requirement.

C. PROGRAMMATIC INFORMATION

1. Background Information/Program Description

California Penal Code §11166.4 states "each county may use a Children's Advocacy Center (CAC) to implement a coordinated multidisciplinary response, pursuant to Section 18961.7 of the Welfare and Institutions Code, to investigate reports involving child physical or sexual abuse, exploitation, or maltreatment. A county that utilizes a CAC to coordinate its multidisciplinary team shall require the CAC to meet standards pursuant to California Penal Code §11166.4, part b."

The purpose of the Program is for CACs to provide direct victim services to child abuse victims/survivors and their families through a multidisciplinary team approach. These services must include victim-centered, trauma-informed forensic interviews, advocacy, direct or referral to therapy/counseling, and referrals for medical exams.

2. Programmatic Components

a. Multidisciplinary Team

The Subrecipient must comply with California Penal Code §11166.4 and provide direct services to child victims/survivors and their families through a multidisciplinary team approach. California Penal Code §11166.4 states:

- “The multidisciplinary team associated with the CAC shall consist of a representative of the CAC and at least one individual from each of the following disciplines: law enforcement, child protective services, district attorney’s office, medical provider(s), mental health provider(s), and victim advocate(s). Members of the multidisciplinary team may fill more than one role, if it falls within the scope of their practice, as needed.”
- The CAC shall verify that members of the multidisciplinary team have specific training for the discipline they represent in the delivery of trauma-focused, evidence-supported services to child abuse victims/survivors and their families.
- “The CAC multidisciplinary team members must receive cultural competency and diversity training to meet the needs of the community served.”

b. Dedicated Child-Focused Setting

The Subrecipient must comply with California Penal Code §11166.4 and “provide a dedicated child-focused setting designed to provide a safe, comfortable, neutral place where forensic interviews and other CAC services may be provided for children and families.

c. Direct Services

- The Subrecipient must budget for at least one Full Time Employee (FTE) in urban counties and .5 FTE in suburban and rural counties to perform forensic interviews. Forensic interviews are coordinated to avoid duplication.
- California Penal Code §11166.4 states, “the CAC shall verify that interviews during investigations are conducted in a forensically sound manner and occur in a child-focused setting designed to provide a safe, comfortable, and dedicated place for children and families.”

- The Subrecipient must budget for at least one FTE in urban counties and .5 FTE in suburban and rural counties to perform advocacy services. These positions may be family advocates, care coordinators, or child life specialists.
- When appropriate, the Subrecipient must provide case referrals to the district attorney's office and to the Victim Witness (VW) Center for assignment to a VW Advocate for support services.
- The Subrecipient must provide appropriate referrals to local, non-governmental victim services providers for case assignment to a domestic violence advocate, rape crisis counselor, or Court Appointed Special Advocate for support services.

d. Case Review and Tracking

The Subrecipient must comply with California Penal Code §11166.4 and "the CAC shall use written protocols for case review and case review procedures and shall use a case tracking system to provide information on essential demographics and case information."

e. Operational Agreements/Second-Tier Subawards

Subrecipients are required to enter into either Operational Agreements (OAs) or Second-Tier Subawards with the following agencies:

- Law Enforcement
- Child Protective Services
- Medical Providers (OA only)
- Mental Health Providers

An OA (also referred to as a Memorandum of Understanding) is a formal agreement, without the exchange of money, between a Subrecipient and one or more participating agency/organization. The OA reflects the roles each agency/organization will play in achieving the goals and objectives of the Grant Subaward

(SRH Section 7.005). A Second-Tier Subaward is a formal agreement that includes the exchange of money between the Subrecipient and a participating agency/organization to further the goals of the Grant Subaward (SRH Section 7.010).

### 3. Restrictions

The following restrictions apply:

- Training costs may not exceed 10% of the Total Project Cost.
- Administrative personnel costs may not exceed 10% of the Total Project Cost.
- Funds may not be used for direct medical services but allow for the purchase of medical equipment.
- Funds may not be used for investigation and/or prosecution.

## D. PROGRAM REPORTING REQUIREMENTS

Progress Reports serve as a record for the implementation of the Grant Subaward. Statistics for Progress Reports must be collected on a quarterly basis, even when reporting occurs less frequently. The following reports are required:

### 1. Cal OES Progress Reports

There are two Progress Reports required for the Program. See the chart below for report periods and due dates.

Report	Report Period	Due Date
1st Report	April 1, 2025 – September 30, 2025	October 31, 2025
2nd Report	October 1, 2025 – March 31, 2026	April 30, 2026

2. Office for Victims of Crime (OVC) Reports

There are two on-line OVC Reports Subrecipients will also need to complete:

a. Subgrant Award Report (SAR)

This on-line report must be completed by both the Subrecipient and Cal OES within 90 days of the beginning of the Grant Subaward performance period. Cal OES will initiate access and the Subrecipient will have **60 days to complete** the remainder of the report in the OVC Performance Management Tool (PMT). Once the Subrecipient completes the report, Cal OES will have 30 days to either approve the SAR or work with the Subrecipient on corrections before approving the SAR.

b. Subgrantee Report

Subrecipients receiving VOCA Victim Assistance Formula Grant Program funds must complete this report no later than two weeks following the end of each federal fiscal year quarter.

Subrecipients will report data directly into the OVC PMT database no later than the due dates in the table below, unless otherwise instructed by your Grants Analyst.

Report Period	Due Date (on or about)
April 1, 2025 – June 30, 2025	July 14, 2025
July 1, 2025 – September 30, 2025	October 14, 2025
October 1, 2025 –December 31, 2025	January 14, 2026
January 1, 2026 – March 31, 2026	April 14, 2026

\* Exact dates will be provided by your Grants Analyst at the end of each quarter.

For technical assistance, issues, or questions regarding the OVC PMT database, please contact the OVC PMT Help Desk at [ovcpmt@usdoj.gov](mailto:ovcpmt@usdoj.gov) or call (844)884-2503.



**Federal Fund Grant Subaward Assurances  
Victims of Crime Act Victim Assistance Formula Grant  
Program – 2024 VOCA**

Subrecipients agree to adhere to the following and ensure these assurances are passed down to Second-Tier Subrecipients.

**1. Meaningful Access Requirement for Individuals with Limited English Proficiency**

Subrecipients (and any Second-Tier Subrecipients) must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.

**2. Compliance with General Appropriations-Law Restrictions on the use of Federal Funds**

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/award-condition-general-appropriations-law-restrictions-use-federal-award-funds-fy-2024>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by Subrecipients (or any Second-Tier Subrecipients) would or might fall within the scope of an appropriations-law restriction, Subrecipients are to contact Cal OES for guidance, and may not proceed without the express prior written approval of Cal OES.

### **3. Applicability of Part 200 Uniform Requirements**

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") apply to this Grant Subaward.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the Grant Subaward that the Subrecipient (and any Second-Tier Subrecipients) must be retained for a period of seven years after the Subrecipient makes final payments and all other pending matters are closed, unless a different retention period applies. Subrecipients (and any Second-Tier Subrecipients) must provide access to performance measurement information, financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that a Grant Subaward-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the Subrecipient is to contact Cal OES promptly for clarification.

### **4. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct**

Subrecipients (and any Second-Tier Subrecipients) must promptly refer to Cal OES any credible evidence that a principal, employee, agent, Subrecipient, contractor, subcontractor, or other person has, in connection with funds under this Grant Subaward:

- Submitted a claim that violates the False Claims Act; or
- 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 Grant Subaward should be reported to Cal OES. Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

**5. Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination - 28 C.F.R. Part 38**

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements of 28 C.F.R. Part 38.

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 Subrecipient organizations (and any Second-Tier Subrecipient organizations) that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to Subrecipients (and any Second-Tier Subrecipients) that are faith-based or religious organizations.

Subrecipients (and any Second-Tier Subrecipients) that provide social services under this Grant Subaward must give written notice to beneficiaries and prospective beneficiaries prior to the provision of services (if practicable) which shall include language substantially similar to the language in 28 CFR Part 38, Appendix C, sections (1) through (4). A sample written notice may be found at <https://www.ojp.gov/program/civil-rights-office/partnerships-faith-based-and-other-neighborhood-organizations>.

In certain instances, a faith-based or religious organization may be able to take religion into account when making hiring decisions, provided it satisfies certain requirements. For more information, please see <https://www.ojp.gov/funding/explore/legaloverview2024/civilrightsrequirements>.

**6. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events**

Subrecipients (and any Second-Tier Subrecipients) 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 Grant Subaward appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

**7. Requirement for Data on Performance and Effectiveness under the Grant Subaward**

Subrecipients (and any Second-Tier Subrecipients) must collect and maintain data that measures the performance and effectiveness of work under this Grant Subaward. Subrecipients (and any Second-Tier Subrecipients) must provide data (within the required timeframes) to OJP via the Performance Measurement Tool (PMT). Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

**8. Compliance with DOJ Grants Financial Guide**

Subrecipients (and any Second Tier Subrecipients) must comply with all applicable sections of the DOJ Financial Guide. References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance.

**9. Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination - 28 C.F.R. Part 42**

Subrecipients (and any Second-Tier Subrecipients) 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.

Among other items, 28 C.F.R. § 42.106(d), 28 C.F.R. § 42.405(c), and 28 C.F.R. § 42.505(f) contain notice requirements that covered Subrecipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

## **10. Determination of Suitability to Interact with Participating Minors**

This assurance applies to the Grant Subaward when some or all of the activities to be carried out under the Grant Subaward (whether by the Subrecipients, or Second-Tier Subrecipients) is to benefit a set of individuals under 18 years of age.

Subrecipients (and any Second-Tier Subrecipients) must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

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

## **11. Employment Eligibility Verification for Hiring under the Grant Subaward**

a. Subrecipients (and any Second-Tier Subrecipients) must:

- 1) Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with Grant Subaward funds, Subrecipients (and any Second-Tier Subrecipients) properly verify the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).
- 2) Notify all persons associated with Subrecipients (or any Second-Tier Subrecipients) who are or will be involved in activities under this Grant Subaward of both:
  - a) This Grant Subaward requirement for verification of employment eligibility, and
  - b) The associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

- 3) Provide training (to the extent necessary) to those persons required by this assurance to be notified of the Grant Subaward requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).
- 4) As part of the recordkeeping for the Grant Subaward (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this Grant Subaward assurance in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

b. Monitoring

Subrecipients' monitoring responsibilities include monitoring of Second-Tier Subrecipients' compliance with this assurance.

c. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, Grant Subaward funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this assurance.

d. Rules of construction

1) Staff involved in the hiring process

For purposes of this assurance, persons "who are or will be involved in activities under this Grant Subaward" specifically includes (without limitation) any and all Subrecipient officials or

other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with Grant Subaward funds.

2) Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this assurance regarding verification of employment eligibility, Subrecipients (and any Second-Tier Subrecipients) may choose to participate in, and use, E-Verify ([www.e-verify.gov](http://www.e-verify.gov)), provided an appropriate person authorized to act on behalf of the Subrecipient (and any

Second-Tier Subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with Grant Subaward funds.

- 3) "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.
- 4) Nothing in this assurance shall be understood to authorize or require Subrecipients (or any Second-Tier Subrecipients) or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.
- 5) Nothing in this assurance, including in paragraph D.2., shall be understood to relieve Subrecipients (or any Second-Tier Subrecipients) or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>).

Questions about the meaning or scope of this assurance should be directed to Cal OES, before Grant Subaward acceptance.

## **12. 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 Subrecipients (and any Second-Tier Subrecipients) to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this Grant Subaward, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

### **13. Restrictions and Certifications Regarding Non-disclosure Agreements and Related Matters**

No Subrecipients (or any Second-Tier Subrecipients) under this Grant Subaward, or entity that receives a procurement contract or subcontract with any funds under this Grant Subaward, 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 Grant Subaward, 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.

- a. In accepting this Grant Subaward, Subrecipients (and any Second-Tier Subrecipients):
  - 1) Represent that it neither require, 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
  - 2) Certify that, if they learn or are notified that they have, or have been requiring, their 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, they will immediately stop any further obligations of Grant Subaward funds, will provide prompt written notification to Cal OES, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by Cal OES.
- b. If Subrecipients are authorized under this award to make Second-Tier Subawards, procurement contracts, or both:
  - 1) Subrecipients represent that:

- a) No other entity (whether through a Second-Tier Subaward, procurement contract, or subcontract under a procurement contract) that they pass funds to 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
  - b) Appropriate inquiry, or otherwise Subrecipients have an adequate factual basis, to support this representation; and
- 2) If learned or notified that any Second-Tier Subrecipient, contractor, or subcontractor entity that receives funds under this Grant Subaward 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, they will immediately stop any further obligations of Grant Subaward funds to or by that entity, will provide prompt written notification to Cal OES, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by Cal OES.

#### **14. OJP Training Guiding Principles**

Subrecipients (and any Second-Tier Subrecipients) understand and agree that any training or training materials developed or delivered with funding under this Grant Subaward must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

#### **15. Specific Post-award Approval Required to use a Noncompetitive Approach in any Procurement Contract that would Exceed \$250,000**

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This assurance applies to agreements that, for purposes of federal grants administrative requirements, OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP website at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

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

Subrecipients (and any Second-Tier Subrecipients) must comply with, and are 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.

Subrecipients (and any Second-Tier Subrecipients) also must inform their 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 Grant Subaward, the Subrecipient is to contact Cal OES for guidance.

**17. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate Grant Subaward)**

Subrecipients (and any Second-Tier Subrecipients) 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 Subrecipients (and any Second-Tier Subrecipients), or individuals defined (for purposes of this assurance) as "employees" of Subrecipients (and any Second-Tier Subrecipients).

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP website at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm>

(Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

#### **18. Potential Imposition of Additional Requirements**

Subrecipients (and any Second-Tier Subrecipients) agree 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 Grant Subaward, if Subrecipients are designated as "high-risk" for purposes of the DOJ high-risk grantee list.

#### **19. Requirement to Report Actual or Imminent Breach of Personally Identifiable Information (PII)**

Subrecipients (and any Second-Tier Subrecipients) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if they:

- Create, collect, use, process, store, maintain, disseminate, disclose, or dispose of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or
- Use or operate a "Federal information system" (OMB Circular A-130).

Subrecipients (and any Second-Tier Subrecipients) must have breach procedures that must include a requirement to report actual or imminent breach of PII to Cal OES no later than 18 hours after an occurrence of an actual breach, or the detection of an imminent breach.

#### **20. Requirements Related to System for Award Management and Universal Identifier Requirements**

Subrecipients (and any Second-Tier Subrecipients) 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.

Subrecipients also must comply with applicable restrictions for Second-Tier Subawards, including restrictions on Grant Subawards to entities that do not acquire and provide (to Subrecipients) the unique entity identifier required for SAM registration.

The details of the Subrecipient's obligations related to SAM and to unique entity identifiers are posted on the OJP website at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This assurance does not apply to a Grant Subaward 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).

## **21. Compliance with Restrictions on the use of Federal Funds--Prohibited and Controlled Equipment under OJP awards**

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the Subrecipient (and any Second-Tier Subrecipients), to put in place specified controls prior to using federal funds under this Grant Subaward to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP website at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

## **22. Restrictions on "Lobbying"**

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

Another federal law generally prohibits federal funds awarded by OJP from being used by Subrecipients (or any Second-Tier Subrecipients), 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 Subrecipient (or any Second-Tier Subrecipient) would or might fall within the scope of these prohibitions, the Subrecipient is to contact Cal OES for guidance, and may not proceed without the express prior written approval of Cal OES.

### **23. All Grant Subawards must have Specific Federal Authorization**

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements for authorization of any Grant Subaward. This assurance applies to agreements that, for purposes of federal grants administrative requirements, OJP considers a "Grant Subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP website at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

### **24. Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination - 28 C.F.R. Part 54**

Subrecipients (and any Second-Tier Subrecipients) 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."

Among other items, 28 C.F.R. § 54.140 contains notice requirements that covered Subrecipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

## **25. Discrimination Findings**

Subrecipients (and any Second-Tier Subrecipients) assure that in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the ground of race, religion, national origin, sex, or disability against a recipient of victim assistance formula funds under this Grant Subaward, Subrecipients will forward a copy of the findings to the Office for Civil Rights of OJP.

## **26. VOCA Requirements**

Subrecipients (and any Second-Tier Subrecipients) assure that they will comply with the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required.



## Program Standard Assurances Addendum

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**As the duly authorized representative of the Applicant/Subrecipient, I hereby certify** that the Applicant/Subrecipient, and any of its second-tier subrecipients or representatives, will comply with all applicable local, state, and federal statutes, including but not limited to the following state and federal statutes prohibiting hate-based conduct:

- (a) California Penal Code section 422.6(a);
- (b) California Penal Code section 404.6;
- (c) California Penal Code section 422(a);
- (d) California Civil Code section 52.1;
- (e) 18 U.S.C. § 249;
- (f) 42 U.S.C. § 3631;
- (g) 18 U.S.C. § 247; and
- (h) 18 U.S.C. § 241, 245.

Additionally, Applicant/Subrecipient will not engage, and certifies that it will take steps to ensure that its second-tier subrecipients and representatives do not engage, in conduct contrary to the purposes of the grant program and/or that threatens the safety and security of Californians, including, but not limited to, acts of violence or unlawful intimidation on the basis of race, gender, religion, national origin, sexual orientation, or other protected classifications. Prohibited conduct includes, but is not limited to, violation of the federal and state laws identified herein.

**The undersigned represents that he/she is authorized to enter into this Addendum for and on behalf of the Applicant/Subrecipient. Applicant/Subrecipient understands that failure to comply with this Addendum or any of the assurances may result in suspension, termination, reduction, or de-obligation of funding. Applicant/Subrecipient agrees to repay funds in the event there is a violation of grant assurances.**

## **Standard Assurances of Compliance**

I hereby certify that the Subrecipient is responsible for reviewing the Subrecipient Handbook (SRH) and adhering to all of the Grant Subaward requirements as directed by Cal OES including, but not limited to, the following areas:

**I. Civil Rights Compliance – SRH Section 2.020**

The Subrecipient acknowledges awareness of, and the responsibility to comply with all state and federal civil rights laws. The Subrecipient certifies it will not discriminate in the delivery of services or benefits based on any protected class and will comply with all requirements of this section of the SRH.

**II. Equal Employment Opportunity – SRH Section 2.025**

The Subrecipient certifies it will promote Equal Employment Opportunity by prohibiting discrimination or harassment in employment because of any status protected by state or federal law and will comply with all requirements of this section of the SRH.

**III. Drug-Free Workplace Act of 1990 – SRH Section 2.030**

The Subrecipient certifies it will comply with the Drug-Free Workplace Act of 1990 and all other requirements of this section of the SRH.

**IV. Lobbying – SRH Sections 2.040 and 4.105**

The Subrecipient certifies it will not use Grant Subaward funds, property, or funded positions for any lobbying activities and will comply with all requirements of this section of the SRH.

All appropriate documentation must be maintained on file by the Subrecipient and available for Cal OES upon request. Failure to comply with these requirements may result in suspension of payments under the Grant Subaward(s), termination of the Grant Subaward(s), and/or ineligibility for future Grant Subawards if Cal OES determines that any of the following has occurred: (1) the Subrecipient has made false certification, or (2) the Subrecipient violated the certification by failing to carry out the requirements as noted above.