



**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF CHILD AND FAMILY SERVICES**

**4126 Technology Way – 3<sup>rd</sup> Floor  
Carson City, Nevada 89706  
(775) 684-4400**

**Request for Proposals:**

**Chafee Foster Care Independence Program (CFCIP)  
&  
Fund to Assist Former Foster Youth (FAFFY)**

Release Date: Friday, March 18, 2016

Deadline for Submission Date and Time:  
**Friday, April 22, 2016 by 5:00 p.m.**

For additional information, please contact:  
Heather Giger, Grants & Projects Analyst II  
Division of Child and Family Services  
4126 Technology Way, 3<sup>rd</sup> Floor  
Carson City, NV 89706

Phone: (775) 684-4447  
Email: [hgiger@dcfs.nv.gov](mailto:hgiger@dcfs.nv.gov)



**State of Nevada  
Department of Health and Human Services  
Division of Child and Family Services**

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**GRANTS MANAGEMENT UNIT**

**REQUEST FOR PROPOSALS**

**State Fiscal Years (SFYs) 2017-2019**

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## GRANT ANNOUNCEMENT SUMMARY INFORMATION

**Program Area:** Nevada Department of Health and Human Services, Division of Child and Family Services (DCFS), Grants Management Unit (GMU)

**Grant Titles:** Chafee Foster Care Independence Program (CFCIP/Chafee) and Fund to Assist Former Foster Youth (FAFFY) Rural Region Competitive Grants

**Description:** The purpose of the Chafee grant is to assist youth in goal setting and planning for their transition out of foster care in order to attain self-sufficiency as adults. The primary target population is foster youth, ages 14 to 18. However, a portion of these federal funds must be allocated to serve young adults (ages 18 to 21) who have aged out of foster care. Youth currently residing in Nevada who aged out of foster care while residing in another state, are also eligible for assistance through Chafee funding. Additionally, The Fostering Connections to Success and Increasing Adoptions Act of 2008 considers youth who leave foster care after age 16 for kinship guardianship or adoption to still be eligible for independent living services.

The purpose of FAFFY funding is to assist former foster youth from Nevada ages 18 to 21 in attaining economic self-sufficiency. Youth 17.5 years of age who will be leaving foster care at age 18 are also eligible for services to assist with transitioning into adulthood upon leaving foster care. FAFFY is funded through state revenues and is available to all youth who have aged out of Nevada's child welfare system, including recognized Nevada tribal entities.

**Opportunity Category:** This Request for Proposal (RFP) is for competitive proposals to be funded through Chafee and FAFFY for State Fiscal Years (SFYs) 2017 through 2019. This RFP implements a funding process that combines application review and grant allocation among funding sources administered by DCFS GMU.

### **Important Dates:**

Optional Webinar: Thursday, March 24, 2016, 9:00-11:00 a.m.

Application Due Date: Friday, April 22, 2016 by 5:00 p.m.

Award Notification Date: Late May – Early June 2016

Project Start Date: July 1, 2016

Project End Date: June 30, 2019

**Funding Amount and Award Period:** Up to **\$250,000 per year** will be awarded out of each funding source. Sub grants may be awarded for the 36 month period beginning July 1, 2016 and ending June 30, 2019, which corresponds to SFYs 2017, 2018 and 2019. Awards for funding will be evaluated annually with special emphasis given to regional needs and funding availability. Based upon these criteria, awards may be increased or reduced with 30 day notice to sub grantees. **All awards are contingent upon available funding, sub grantee performance, and compliance with relevant federal and state requirements.** Unused funds from one year will not be automatically carried forward (re-awarded) to the next year. Current sub grantees are not guaranteed funding in SFYs 2017-2019 and applicants who receive awards through this RFP are not guaranteed future funding.



**Match/In-kind Requirement:** Match is a mandatory Chafee requirement. There is no match/in-kind requirement associated with FAFFY funding. The minimum match amount for each Chafee sub grant is 20% of the total project cost. Match is calculated by dividing the amount requested by .80 then multiplying the result by .20. For example, the requested amount of \$100,000 divided by .80 = \$125,000, multiplied by .20 = Match in the amount of \$25,000. Allowable match includes in-kind contributions and monetary funds from non-federal sources. Each recipient is responsible for providing match tracking and documentation for Chafee awards on a monthly basis. Applicants are encouraged to request both Chafee and FAFFY funding because FAFFY may be used as the match source for Chafee.

**PROPOSAL DEADLINE: FRIDAY, APRIL 22, 2016, by 5:00 PM.** Proposals postmarked April 22, 2016, but received after 5:00 PM will **NOT** be accepted.

**Copy Requirements:** One (1) original and one (1) electronic copy. The electronic copy may be submitted on either a CD or flash drive. The electronic copy should be stored in the form of a single PDF document. Do not submit each application section as a separate electronic file. Please keep electronic file sizes to a minimum by excluding elaborate logos or graphics. Faxed or e-mailed documents will not be accepted. Unrequested attachments will not be accepted. Do not use binders, paperclips, or staples. Rubber bands are acceptable. All submitted application materials become property of DCFS and will not be returned to applicants.

**Eligibility:** Any 501(c)(3) nonprofit organizations, school district, tribal or local government agency providing services to one or more of Nevada's rural counties is eligible to apply for Chafee federal funding and/or FAFFY state funding.

**Recommended Pre-application Webinar:** It is highly recommended that at least one programmatic and one fiscal representative from each agency attend the Pre-application Webinar. Examples of appropriate staff include, Agency Executive Directors, Fiscal Agents/Grant Managers, and IL Program Directors or senior staff.

**Webinar Details: Independent Living (IL) and Title IV-B RFP Webinar**

**Thursday, Mar 24, 2016 9:00 AM - 11:00 AM Pacific Daylight Time**

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/152654285>

To join the conference call:

**Call-In Number: 1-888-363-4735**

**Participant Pass Code: 1250640**



## DESCRIPTION OF FUNDING

Funds will be granted to community-based organizations and local or tribal governments throughout rural Nevada to ensure that Chafee and FAFFY funds are provided to eligible youth.

Agencies that receive funding must address the following requirements:

- Review and assess the needs of each youth based on their Independent Living Plan.
- Participate in Child and Family Team meetings.
- Meet with each youth on a monthly basis, at minimum.
- Provide documentation of contact with each youth individually or in a group setting.
- Assist youth with credit report related issues.
- Monitor the status of youth who complete the National Youth in Transition Database (NYTD) and ensure that the youth complete the survey at 17, 19 and 21 years of age.
- Youth that remain under Court Jurisdiction require monthly contact and quarterly face-to-face contact.
- Input case notes into the child welfare on-line system (UNITY) within 5 days of contact.
- Assist youth with referrals and completion of forms for entitlements (Medicaid, ETV, etc.).

### CHAFEE:

- Eligible youth:
  - Target population is youth ages 14 to 21 who are likely to remain in foster care until age 18, or have aged out of foster care at age 18.
  - Youth currently in foster care, ages 14 to 18
  - Youth between 18 and 21 who aged out of care in another state but are currently residing in Nevada
  - Youth who were adopted from foster care, or left foster care to live with a relative guardian, after the age of 16
- Funds can be used for the purpose of:
  - Assistance in obtaining a high school diploma
  - Career exploration, vocational training, job placement and retention
  - Training in daily living skills, training in budgeting and financial management skills
  - Substance abuse prevention
  - Preventive health activities (including smoking avoidance, nutritional education, and pregnancy prevention)
  - Education
  - Leadership development
  - Training and employment services
  - Preparation for postsecondary training and education
  - Adult mentoring



- Financial, housing, counseling, employment, education, and other appropriate supports and services for young people ages 18 up to 21 formerly in foster care
- Funding limitations/unallowable activities:
  - No more than 30% of funds may be used for room and board for youth 18 to 21.
  - **In order to maximize funding availability for this population, Chafee funding cannot be used to substitute for, or to supplant, any other funds already being used for the same general purposes.**

#### **FAFFY:**

As defined by the Nevada Administrative Code (NAC): Not less than 90 percent of the money disbursed to an agency which provides child welfare services pursuant to NAC 432.280 must be used for services provided by the agency or by a nonprofit community organization pursuant to a contract or other agreement entered into by the agency.

- Eligible youth:
  - Former Nevada foster youth, ages 18 to 21
    - “Former foster youth” is defined as, “a person who attained the age of 18 years while in the custody of an agency which provides child welfare services or in foster care provided by an Indian tribe as defined in NRS 383.150 and who has not attained the age of 21 years.”
  - Youth 17.5 years of age who will be leaving foster care at age 18 are also eligible for services to assist with transitioning into adulthood.
- Funds can be used for the purpose of:
  - The money disbursed pursuant to NAC 423.120 must be used for the purpose required by NRS 423.137 which may include obtaining goods and services for former foster youth, including, without limitation:
    1. Room and board
    2. Housing assistance
    3. Job training
    4. Vocational services, including, without limitation, job placement assistance
    5. Educational assistance
    6. Medical insurance
    7. Services to reduce high-risk behaviors
    8. Mental health services

**Referral Process:** Independent Living Program (ILP) youth will be referred to ILP providers through one of the DCFS Rural Region Child Welfare offices. Applicants will be asked to document their plan for ensuring ongoing collaboration and discussion with local child welfare office(s) – e.g. regularly scheduled meetings to discuss client flow or other referral issues.

**Awarding and Funding Process:** Only proposals that focus on providing services to the rural counties of Nevada will be considered. Applicants that provide services to youth in Clark and Washoe counties will not be considered. Proposals will be evaluated on a competitive basis. DCFS anticipates awarding approximately \$250,000 in Chafee funds and \$250,000 in FAFFY funds to support the rural region. All awards are contingent upon availability of funds. The Division reserves the right to modify or reject any or all proposals.



# APPLICATION INSTRUCTIONS

The complete application packet is available online through the DCFS website at <http://dcfs.nv.gov/Tips/RFPs/>. Proposal materials will remain posted until the application deadline.

Complete all items as outlined below. All forms and documentation listed must be included in the submitted application. Incomplete applications will not be considered. Materials submitted under previous proposals will not be considered.

## A. Application Coversheet and Checklist

The application checklist (Attachment C) identifies all components of the application. Organize the proposal in the order provided on the checklist.

## B. Technical Requirements (5 points)

Applicants are encouraged to submit proposals that are technically correct and self-explanatory. The following technical requirements are mandatory:

- 1) Single-spaced, one-inch margins on 8 ½ x 11 inch white paper double-sided.
- 2) Times New Roman, 12-point font.
- 3) Name of the agency and page numbers must be clearly indicated in the center of the footer of each page.
- 4) Submission of one (1) original (clearly labeled) and one (1) electronic copy.
- 5) The electronic copy must be attached to the original hard copy and must be formatted on either a CD or flash drive.
- 6) Do not use binders, paperclips, or staples to secure the application. Binder clips or rubber bands are acceptable.
- 7) All application materials must be presented in the correct order.

## C. Project Narrative (20 points)

The narrative must not exceed the maximum length of 12 pages and must address the following:

- 1) Provide an overview of your agency. Summarize the mission, history, and organizational structure, as well as, the proposed ILP project. (Not to exceed two (2) pages).
- 2) Summarize the full array of programs and services currently offered and provide supporting information about the frequency of services provided and the demographics of the population being served.
- 3) Describe the agency's approach to direct service delivery and how client needs are met.
- 4) Describe proposed ILP services to be offered to foster youth and former foster youth. Provide detail on programmatic goals, objectives, specific activities, program staffing, and the geographical area where services will be provided.
- 5) Explain in detail how the services offered will result in increased self-sufficiency. Provide supporting data.



- 6) Explain how your agency will ensure that services will be accessible to the target population, how client needs will be assessed, and how services will be individualized.
- 7) Provide detailed information that demonstrates the organization has experience providing direct services to individuals within the target population. Describe targeted foster care youth and former foster care youth to be served; include estimates of the number of foster care youth, former foster care youth, and youth under court jurisdiction to be served over a one year period; include your agency's strategy for keeping youth engaged in IL services and programs.
- 8) Describe how the requirements for monthly and quarterly face-to-face contact for youth under court jurisdiction will be met.
- 9) Describe the type of training your agency will provide to program staff to ensure that the services proposed will be completed in a thorough, high quality, and timely manner.
- 10) Include a statement of agreement to participate in the state and federally required Chafee/FAFFY program evaluation component. This includes participation in the National Youth in Transition Database (NYTD) process for youth both currently in care and youth who have aged out of care.
- 11) Include a statement of agreement to participate in activities (telephonically or in person) as required by DCFS, including statewide IL workgroup meetings, child and family team meetings or other youth focused meetings, youth advisory board meetings, and statewide youth conferences.

#### **D. Program Evaluation (10 points)**

The program evaluation must not exceed two (2) pages and must address the following:

- 1) Agencies that are currently receiving Chafee/FAFFY funding should provide an analysis of outcomes achieved during the previous Chafee/FAFFY funding cycle. Summarize data collected for program evaluation purposes and provide specific examples of outcome data.
- 2) All applicants should describe their system(s) for tracking client interactions and collecting service data.
- 3) Describe the measures that you will use to track both outputs and outcomes of your project. **Output** measures define either the quantity or quality of **effort** put forth for the project. **Outcome** measures determine the **effect** of the service.
  - a. Be sure to select reasonable outcome measures that will be tracked and will measure the effectiveness of proposed services.
  - b. More outcomes do not necessarily equal quality data. A few representative outcomes that target measurements of effectiveness will provide more than adequate information about your program's success.
- 4) Describe how the program will collect and evaluate client satisfaction. Include any satisfaction surveys, anonymous evaluation forms, and outside evaluation processes currently in use.
- 5) Describe your agency's capacity to integrate DCFS required database utilization – both UNITY and ODES – into the data collection processes.



### **E. Cost Effectiveness of the Project (5 points)**

This section must not exceed two (2) pages and must address the following:

- 1) Describe non-cash resources that will be used to create, sustain, or expand IL services. These can include, but are not limited to, in-kind support, staff and volunteer hours, and collaborative efforts with other agencies.

### **F. Potential for Sustainability (5 points)**

This section must not exceed one (1) page and must address the following:

- 1) Describe resources or planning that support organizational sustainability, including diverse funding resources, staff commitments, and longevity of the organization.

### **G. Scope of Work Form(s) (20 points)**

Complete the following Scope of Work (SOW) Form(s) (also available as part of Attachment C). The Chafee and FAFFY SOWs will be scored separately as two separate, though related, projects. Agencies that are requesting both funding sources must complete both SOWs using program specific details.



**SCOPE OF WORK DEVELOPMENT AND REVISION FORM**

**AGENCY NAME:** \_\_\_\_\_

**GRANT NAME:** Chafee      **DATE:** 4/22/2016

<b>IDENTIFIED CFCIP PROGRAM PURPOSES (REQUIRED)</b>	<b>Project Period</b>	<b>Program Evaluation</b>	<b>Program Documentation</b>	<b>Target Population</b>	<b>Number and Type of Services Provided</b>	<b>Number of youth to be served</b>
<b>1)</b> To accept referral of all youth ages 14-18 and assist these youth in achieving self-sufficiency through providing direct services. Service needs for the youth should be identified through the Casey Life Skills assessment provided by/requested from the Child Welfare Agency. Services include obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention).	July 1, 2016 – June 30, 2017			Foster Youth 14-18 years old.		
<b>2)</b> To help youth who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment.						



<b>3)</b> To help youth who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions.						
<b>4)</b> To provide personal and emotional support to youth aging out of foster care, through mentors and the promotion of interactions with dedicated adults.						
<b>5)</b> To provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.						
<b>6)</b> To refer youth aging out of foster care to the Education and Training Vouchers (ETV) Program for the purpose of ensuring youth receive education and training, including postsecondary training and education.						



<p><b>7)</b> To provide IL services to youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption.</p>						
<p><b>8)</b> Ensure youth who are likely to remain in foster care until 18 years of age have regular, on-going opportunities to engage in age or developmentally-appropriate activities, defined as follows:</p> <ul style="list-style-type: none"> <li>Activities or items that are suitable for the youth based on the developmental stages attained by the youth with respect to the cognitive, emotional, physical, and behavioral capacities of the youth.</li> </ul>						



# SCOPE OF WORK DEVELOPMENT AND REVISION FORM

AGENCY NAME: \_\_\_\_\_

GRANT NAME: FAFFY DATE: 4/22/2016

<b>Goal: Global problem statement</b>	<b>Objective and Time Frame</b>	<b>Program Evaluation</b>	<b>How Documented</b>	<b>Target Population</b>	<b>Number of Services Provided</b>	<b>Number of youth to be served</b>
<b>EXAMPLE:</b>  1) Provide comprehensive life skill services to youth 18-21 of age to promote self-sufficiency skills.	The agency will provide independent living skills that promote self-sufficiency to youth ages 18-21 that have aged out of Nevada foster care.  The Project Period is July 1, 2016 through June 30, 2017.	Services provided are based on the youth's Independent Living Plan. In collaboration with the local Child Welfare Agency, the Independent Living Coordinator and the youth will develop a plan to increase independent living skills that promote self-sufficiency.	Sign-in sheet for life skills classes, UNTIY case notes and youth files will document contact, attendance to life skills classes and financial assistance.	Former Foster Youth ages 18-21.	Life skills classes will be held weekly. Daily one-on-one contact as needed. Classes will include but not limited to: personal and interpersonal skill development, vocational and career planning, job skills and employment opportunities, assistance in obtaining a high school diploma or GED, preventative health activities, and mentoring.	This agency commits to serving 90 youth per quarter, or 360 per year.



## H. Staff Qualifications and Job Descriptions (10 points)

This section must not exceed two (2) pages and must address the following:

- 1) Describe how ILP services will be staffed and explain how staff is qualified to provide the anticipated services. Resumes may be attached to your proposal but will not replace the requested description.

## I. Community Collaboration (5 points)

This section must not exceed one (1) page and must address the following:

- 1) Describe the agency's collaboration and communication with child welfare office(s) as part of the service provision process (from initial referral through service completion). Attach copies of current Memorandums of Understanding (MOUs) or letters of collaboration, if available, to the proposal.
- 2) Describe how this program will encourage the collaborative effort of various agencies or organizations by working with existing programs or forming new partnerships. Attach copies of current MOUs or letters of collaboration, if available, to the proposal.

## J. Budget Narrative and Budget Forms (20 points)

The Budget Narrative must summarize all proposed programmatic and operating expenses for each of the budget categories listed below. Chafee expenses must be differentiated from FAFFY expenses. Detailed Budget Forms (Attachments D (Chafee) and Attachment E (FAFFY)) must also be completed and submitted for each funding source. The Budget Forms are Excel spreadsheets, with each tab representing a budget category. Formulas are embedded in the budget spreadsheets that automatically calculate category totals and required match amount. Chafee and FAFFY budgets will be scored separately.

**Note: Only the budget amount for SFY 2017 should be submitted with the proposal. Program budgets for SFYs 2018 and 2019 will be requested at the end of SFY 2017 once continued funding has been awarded. The budget narrative and worksheets should represent the request for one year of funding and not the three full years associated with this RFP.**

- 1) **Personnel:** Positions to be funded, total annual base salaries of each, and full-time equivalency (FTE) percentage for each position.
- 2) **Payroll Taxes and Fringe:** Total amount of fringe benefits and payroll taxes associated with each proposed position. (Note: The budget spreadsheet will automatically total FTE percentage based on Personnel inputs.)
- 3) **Contractual:** List all independent sub-recipients – both individual contractors and larger organizations – to receive funding. Describe the services to be provided by each sub-recipient and the costs associated with providing the proposed services. Itemize sub-recipient costs including personnel, operating, and travel. (Note: Current U.S. General Services Administration (GSA) rates must be used to calculate mileage, per diem, and lodging reimbursements.) Organizations that utilize independent contractors/consultants are responsible to ensure that they also abide by the assurances, agreements and requirements of this RFP. Should a sub-recipient of an agency fail to comply with federal and state regulations, DCFS reserves the right to deny funding to the parent agency.



- 4) **Operating:** Detail all direct program operating expenses. Operating costs associated with unrelated programs may not be allocated to either Chafee or FAFFY funding. Operating sub-categories include the following:
- a. **Occupancy:** Detail and justify all costs associated with maintaining program and administrative facilities, including rent, utilities, routine maintenance and repairs, and insurance, etc. Construction and remodeling are not allowable expenses.
  - b. **Communications:** Identify and justify all communications costs associated with the proposed project, including telephone, cell phone, internet, fax, and mail services.
  - c. **Supplies:** List and justify tangible and expendable property to be used as office and program supplies. An itemized list of all anticipated supplies is unnecessary, but a general summary should be included. High value items (greater than \$1,000) should be specifically identified and described.
  - d. **Public Information:** Identify and justify design and printing costs associated with informational brochures and program outreach. Federal and state funding sources should be identified where appropriate on all printed materials.
  - e. **Background checks:** Program staff and/or volunteers who work directly with clients, are required to complete federal background, as well as, child abuse and neglect (CANs) checks. Funding for fingerprinting and other costs associated with required background checks may be requested under program operating expenses.
  - f. **Other:** IL Program operating costs including, but not limited to, liability insurance, professional organization dues, conference fees, subscriptions to professional publications, and other appropriate, allowable, and allocable costs not explicitly addressed elsewhere in the budget.
- 5) **Travel:** Proposed travel costs must be associated with providing direct services to clients, or must justifiably enhance the quality of IL services to be provided. In accordance with federal and state guidelines, travel costs – mileage reimbursement/transportation fees, per diem, and lodging – must be calculated at current GSA rates (<http://www.gsa.gov>). Identify anticipated travel, as well as, the purpose, frequency, and estimated costs. Proposed travel should include the cost of chaperones and youth to attend the statewide youth conference, youth advisory board meetings, and face-to-face contact for youth under court jurisdiction.
- 6) **Direct Services:** Identify expenses to be incurred from providing direct services to IL youth such as job training, housing assistance, youth development, service coordination and medical insurance. Service coordination is the identification and arrangement of services which will assist youth in gaining access to needed medical, social, educational and other services that will help youth achieve or maintain a quality of life and community participation.
- a. **Direct Services A:** All direct service expenses, excluding housing, room, and board costs.
  - b. **Direct Services B:** Housing, room, and board assistance provided to youth 18 to 21. Note: Direct Services B may not exceed 30% of the total Chafee budget. There are no such restrictions associated with the FAFFY award.



- 7) **Other/Indirect Costs:** Identify and justify any expenses – overhead, administrative, and audit costs, etc. – not included in the above budget categories. Summarize expenses in this category through either an itemized list or the agency's indirect cost rate.
  - a. **Chafee Specific Instructions:** Indirect costs may not exceed 10% of the total Chafee award, unless the agency's has a federally negotiated indirect cost rate. Documentation of the current federally negotiated indirect cost rate must be attached to the submitted application.
  - b. **FAFFY Specific Instructions:** Indirect costs may not exceed 10% of the total FAFFY award. Direct client services must be funded by no less than 90% of the total award.
- 8) **Budget Total:** The total requested amount of funding. Budget spreadsheets will total automatically. Verify that budget narrative totals match budget spreadsheet totals for each award requested prior to proposal submission.
- 9) **Program Revenues:** Final tab in each budget spreadsheet. Detail revenue sources that are either secured or currently pending. Pending indicates that a funding source has been applied for and may be awarded in the near future, but has yet to be formally secured through a Notice of (sub) Grant Award (NOGA/NOSA). Refer to the *Chafee RFP Budget Request and Justification Form EXAMPLE* (Attachment F) for additional guidance. Budget narratives should also summarize program revenues.
- 10) **Equipment:** A separate equipment category has not been included in the budget spreadsheets. For the purpose of this funding announcement, Equipment is defined as the purchase of single items \$5,000, or greater, in value. Items less than \$5,000 in value should be included under Operating. Applicants interested in purchasing equipment with either Chafee or FAFFY funding should contact DCFS directly to discuss whether such purchases are allowable and appropriate for IL projects.

## K. Additional Proposal Materials

Include the following documents as attachments to the submitted proposal.

- 1) **Confidentiality Policy and Confidentiality Release Form:** Include your agency's confidentiality policy as well as a sample of your written, informed and time-limited confidentiality release form.
- 2) **Organizational Chart:** Provide a copy of the organizational chart with current and proposed project staff. Clearly delineate positions proposed for funding through Chafee/FAFFY.
- 3) **List of Board Members and/or Governing Officers:** Provide a list of members of the current board or governing body. Include the Officers' Affiliations and Terms and note any vacancies.
- 4) **Independent Audit or Financial Opinion:** Provide a copy of the most recent Independent Audit or Financial Opinion.
- 5) **Current MOUs:** Provide copies of current MOUs and other relevant cooperative agreements as described above in *Section I. Community Collaboration*.
- 6) **Signed Assurances and Agreements:** Review the attached assurances. Provide the name and title of the authorized representative for your organization where indicated, and obtain the associated signatures. Include date of signature.
- 7) **Insurance Coverage:** Provide proof of coverage for General Liability, Worker's Compensation, Professional Liability, Fire, Vehicle, and other applicable insurance policies as outlined on the application checklist.



## TECHNICAL ASSISTANCE

Contact DCFS Grants and Projects Analyst, Heather Giger, for technical assistance with proposal preparation or to ask clarifying questions about the RFP and proposal process. She can be reached through e-mail at [hgiger@dcfs.nv.gov](mailto:hgiger@dcfs.nv.gov) or by phone at 775-684-4447.

Additionally, IL RFP Questions and Answers will be posted on a regular basis while applications are being requested. They can be viewed on the DCFS website at <http://dcfs.nv.gov/Tips/RFPs/> and at [www.odesinc.org](http://www.odesinc.org). RFP questions may be submitted via e-mail to [hgiger@dcfs.nv.gov](mailto:hgiger@dcfs.nv.gov).

## APPLICATION SUBMITTAL

**To be considered eligible, a completed application must be received by 5:00 p.m. on the deadline date of Friday, April 22, 2016. Postmarks will not be used to determine eligibility. Faxed or emailed applications will not be accepted.**

Mail or hand-deliver applications to:  
**Division of Child & Family Services**  
**4126 Technology Way, 3<sup>rd</sup> Floor**  
**Carson City, NV 89706**  
**Attn: Heather Giger**

DCFS is not responsible for any costs incurred in the preparation of the application. Submitted materials become property of DCFS.

## PROPOSAL REVIEW AND AWARD PROCESS

An application review panel composed of DCFS staff members and other subject matter experts will read and evaluate each application based upon the GMU Scoring Matrix (ATTACHMENT A). The review process will include a technical review of all proposals and requested attachments, as well as, an evaluation of proposed services.

Funding decisions will be based on the following factors:

- A. Review panel scores;
- B. Geographic distribution of the proposed services;
- C. Conflicts or redundancy with other funded programs, or supplanting of existing funding;

The review panel will identify specific line item areas for revision in the event limited funding necessitates a reduction to overall award budgets. In such an instance, an equitable formula based on proposal ranking and scores will be developed and applied in an impartial manner.



Funding decisions will be based on GMU and review panel recommendations that will also be provided to the Administrator of DCFS for final approval. In the event an applicant seeks further clarification of the award decision, the applicant may contact Heather Giger at 775-684-4447.

Applicants will be notified of their status with a Letter of Intent after decisions have been finalized. GMU staff will contact applicants to address any specific budgetary or programmatic issues identified by the review panel. Budget revisions and all program issues must be resolved prior to funding being awarded. Upon successful conclusion of negotiations, GMU staff will complete and distribute NOSA documents, general conditions, and grant instructions to sub grantees.

DCFS reserves the right to increase or decrease awards based on sub grantee performance and funding availability. While this RFP determines eligibility for multi-year funding, sub grantee NOSAs will be renewed on an annual basis.

## **UPON APPROVAL OF AWARD**

### **A. Monthly Financial Status and Request for Funds Report**

DCFS requires the use of a standardized Request for Funds (RFF) form that self-populates certain financial information. This form must be used for all reimbursement requests. RFFs must be submitted on a monthly basis even if no reimbursement is being requested. RFFs are due by the 15<sup>th</sup> of the month that follows the month for which reimbursements are being requested. Further instructions and technical assistance will be provided upon award of funds.

### **B. Performance Report**

Sub grantees who receive an award must complete performance reports on a quarterly basis and submit them through the online reporting system as instructed by DCFS or ODES, Inc. technical support staff. The monthly reports will be due by the 15<sup>th</sup> of the month following the end of the reporting quarter. Successful applicants will report on their progress towards meeting their scope of work commitments.

### **C. On-Site Reviews**

Successful applicants must participate in the on-site review process. On-site reviews are intended to provide ongoing technical support to sub grantees and gather information reportable by DCFS to the federal granting agency. To facilitate the review process, materials referred to in the review documents should be gathered prior to the review. The sub grantee's primary contact person and appropriate staff should make themselves available to answer questions and assist the on-site reviewer(s) throughout the process. For non-governmental agencies, at least one (1) board member must also be available during the exit discussion. The on-site review reports along with a letter identifying necessary action items will be completed within 60 working days following the conclusion of the on-site review.



#### **D. Compliance with Changes to Federal and State Laws**

As federal and state laws change and affect either the DCFS GMU process or the requirements of sub grantees, successful applicants will be required to respond to and adhere to any and all new regulations and requirements.

#### **E. Nevada 2-1-1**

All successful applicants will be required to add or update their agency's profile on Nevada's 2-1-1 website located at [www.nevada211.org](http://www.nevada211.org) within 60 days after receiving notification of award. Nevada 2-1-1 is a statewide resource for individuals looking for assistance, services, and programs.

#### **F. Additional Information**

All successful applicants agree to provide information requested by DCFS by the requested deadlines.



## ATTACHMENT A GMU – Scoring Matrix

Reviewer ID Number: \_\_\_\_\_ Agency Reviewed: \_\_\_\_\_  
Total Score: \_\_\_\_\_ / 100

Please indicate the funding source(s) the agency is applying for: ☐ Chafee ☐ FAFFY

Rural Geographic Area to be served: \_\_\_\_\_

### 1. Technical Requirements:

Criteria	Points
Is each section within the given page limit?	_____/ 2 points
Is the proposal on 8-1/2" x 11" white paper, single-spaced, and typed in black, Times New Roman font size 12, with appropriate footers?	_____/ 3 points
<b>Total points for this section</b>	<b>_____/ 5 points</b>

### 2. Project Narrative:

Criteria	Points
Described approach to direct service delivery and how it meets client needs?	_____/ 3 points
Adequately summarized the full array of programs and services to be offered?	_____/ 3 points
Explained in detail how the IL services offered will increase self-sufficiency?	_____/ 3 points
Provided detailed information that indicates the organization has experience with providing IL services?	_____/ 3 points
Provided supporting data?	_____/ 3 points
Explained how services will be accessible and youth will be kept engaged?	_____/ 3 points
Acknowledged additional DCFS requirements and has the ability to comply?	_____/ 2 points
<b>Total points for this section</b>	<b>_____/ 20 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**



### 3. Program Evaluation:

Criteria	Points
Described measures that will track project outputs (quantity/quality of effort)?	_____/ 3 points
Described measures that will track project outcomes (effect of the service)?	_____/ 3 points
Described how client and service data is tracked?	_____/ 2 points
Described how the program will collect and evaluate client satisfaction?	_____/ 2 points
<b>Total points for this section</b>	<b>_____/10 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**

### 4. Cost Effectiveness of Project:

Criteria	Points
Described non-cash resources that will be used to support the service?	_____/ 2 points
Described efforts that will be made to promote cost-efficiency?	_____/ 3 points
<b>Total points for this section</b>	<b>_____/ 5 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**



**5. Potential for Ongoing Sustainability of the Project (5 points):**

<b>Criteria</b>	<b>Points</b>
Described resources or planning that support sustainability such as diverse funding resources?	_____/ 2 points
Described resources or planning that support sustainability such as longevity of the organization?	_____/ 2 points
Described resources or planning that support sustainability such as staff commitments?	_____/ 1 points
<b>Total points for this section</b>	<b>_____/ 5 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**

**6. Scope of Work:**

<b>Criteria</b>	<b>Points</b>
Followed specified goals and objectives?	_____/ 10 points
Estimated number of youth and young adults to be served?	_____/ 5 points
Scope of Work is reasonable for the amount of funding requested?	_____/ 5 points
<b>Total points for this section</b>	<b>_____/20 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**



## 7. Staff Qualifications:

Criteria	Points
Described how proposed services will be staffed?	_____/ 3 points
Described how the staff is qualified to provide anticipated services?	_____/ 4 points
Provided job descriptions?	_____/ 3 points
<b>Total points for this section</b>	<b>_____/10 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**

## 8. Collaboration:

Criteria	Points
Identified existing or proposed collaborators for the project?	_____/ 1 points
Described the level of participation of all agencies included in the collaboration?	_____/ 1 points
Described how collaborative efforts with various agencies will be encouraged?	_____/ 2 points
Current Memorandums of Understanding included in application packet?	_____/ 1 points
<b>Total points for this section</b>	<b>_____/5 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**



## 9. Budget Forms and Budget Narrative

Criteria	Points
Are the budget items appropriate?	_____/ 6 points
Is the budget reasonable?	_____/ 7 points
Does the narrative accurately describe each expense listed in the budget detail?	_____/ 7 points
<b>Total points for this section</b>	<b>_____/20 points</b>

**Strengths:**

**Weaknesses:**

**Comments:**

## FUNDING RECOMMENDATION

	Annual Previous Funding	Annual Requested Funding	Annual Recommended Funding
Chafee	\$	\$	\$
FAFFY	\$	\$	\$



## ATTACHMENT B

### ELIGIBILITY REQUIREMENTS FOR SUB GRANTEES

Sub grantees receiving Chafee or FAFFY funding must meet the following eligibility requirements:

- A. Comply with DCFS grant requirements** – Agencies must adhere to financial and programmatic guidelines; comply with deadlines; and provide all information to DCFS as requested in a timely fashion.
- B. Central Contractor Registration (CCR)** - In accordance with the supplement to the OMB Circular A-133, sub-recipients must acquire and renew registration with the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients and sub-recipients. CCR registration must be updated or renewed annually. Information about CCR registration procedures can be accessed at <https://www.sam.gov/portal/SAM/#1>
- C. Civil Rights Compliance** - All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office for Civil Rights of the Department of Justice's Office of Justice Programs.
- D. Civil Rights Information.** Maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability and permit reasonable access to its books, documents, papers, and records to determine whether the sub grantee is complying with applicable civil rights laws. This requirement is waived when providing a service, such as telephone counseling, where soliciting the information may be inappropriate or offensive to the crime victim.
- E. Data Universal Number System (DUNS) – § 200.32 Data Universal Number System (DUNS) number.** Sub-recipients must obtain a Data Universal Numbering System (DUNS) as part of eligibility for a sub-award. DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (B&D) to uniquely identify entities. A non-Federal entity is required to have a DUNS number in order to apply for, receive and report on a Federal award. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet at <http://fedgov.dnb.com/webform>.
- F. Maintain confidentiality** – Eligible agencies must have policies and procedures in place that safeguard the confidentiality of all victim records, contact information, personally identifying information, and other information considered sensitive. These measures must be consistent with applicable Federal, state and local laws regarding privacy and confidentiality.



**ATTACHMENT C**  
**Chafee/FAFFY Application Kit**

**COVERSHEET**

**Chafee/FAFFY**

**July 1, 2016 through June 30, 2019**

Applicant Agency:

Physical Address:

Mailing Address:

Website? ☐ Yes    Website: \_\_\_\_\_ ☐ No

Contact Person:

Phone Number:

Fax Number:

Email Address:

DUNS Number:

SAM Registration: ☐ Yes (Attach Verification, if available)    ☐ No

Rural NV Area to be Served: \_\_\_\_\_

Mission Statement:

Funding History / Request			
	SFY 16 Award	SFY 17 Request	Difference
<b>Chafee</b>	\$	\$	\$
<b>FAFFY</b>	\$	\$	\$

**Submit to:**

**Division of Child and Family Services  
4126 Technology Way, 3<sup>rd</sup> Floor  
Carson City, NV 89706  
Attn: Heather Giger, Grants and Projects Analyst**



**Application Checklist:**  
(Please compile your application in the following order)

- ☐ Coversheet
- ☐ Completed Checklist
- ☐ Project Narrative
- ☐ Program Evaluation
- ☐ Cost Effectiveness of the Project
- ☐ Potential for Sustainability
- ☐ Scope of Work Forms
- ☐ Staff Qualifications and Job Descriptions
- ☐ Community Collaboration
- ☐ Budget Narrative
- ☐ Budget Forms
- ☐ Confidentiality Policy
- ☐ Confidentiality Release Form
- ☐ Organizational Chart
- ☐ List of Board or Governing Body with Officers' Affiliations and Terms
- ☐ Most recent completed Independent Audit/Financial Opinion
- ☐ Current Memorandums of Understanding

**Signed Assurances and Agreements and Certifications:**

- ☐ Federal Grants
- ☐ Additional Requirements
- ☐ Certification #1: Certification Regarding Debarment, Suspension, Ineligibility, Voluntary Exclusion
- ☐ Certification #2: Certification Regarding Drug-Free Workplace Requirements
- ☐ Certification #3: Certification Regarding Lobbying
- ☐ Certification #4: Certification Regarding Environmental Tobacco Smoke
- ☐ Certification #5: Certification Regarding Equal Treatment for Faith-Based Organizations
- ☐ Certification of Reporting Requirements
- ☐ Certification of Application

**Copies of Insurance Coverage (not applicable to local government agencies):**

- ☐ General Liability
  - ☐ Worker's Compensation
  - ☐ Professional Liability
  - ☐ Fire Insurance
  - ☐ Vehicle Liability
  - ☐ Other Insurance Policies
- ☐ One (1) original, plus one (1) electronic



**Project narrative**

**(Length = 12 page maximum, 12-point font, single-spaced)**

Insert text here.

**Program evaluation**

**(Length = 2 page maximum, 12-point font, single-spaced).**

Insert text here.

**Cost effectiveness of the project**

**(Length = 2 page maximum, 12-point font, single-spaced).**

Insert text here.

**Potential for sustainability**

**(Length = 1 page maximum, 12-point font, single-spaced).**

Insert text here.



**SCOPE OF WORK DEVELOPMENT AND REVISION FORM**

**AGENCY NAME:** \_\_\_\_\_

**GRANT NAME:** Chafee      **DATE:** 4/22/2016

<b>IDENTIFIED CFCIP PROGRAM PURPOSES (REQUIRED)</b>	<b>Project Period</b>	<b>Program Evaluation</b>	<b>Program Documentation</b>	<b>Target Population</b>	<b>Number and Type of Services Provided</b>	<b>Number of youth to be served</b>
<b>1)</b> To accept referral of all youth ages 14-18 and assist these youth in achieving self-sufficiency through providing direct services. Service needs for the youth should be identified through the Casey Life Skills assessment provided by/requested from the Child Welfare Agency. Services include obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention).	July 1, 2016 – June 30, 2017			Foster Youth 14-18 years old.		
<b>2)</b> To help youth who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment.						



<b>3)</b> To help youth who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions.						
<b>4)</b> To provide personal and emotional support to youth aging out of foster care, through mentors and the promotion of interactions with dedicated adults.						
<b>5)</b> To provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.						
<b>6)</b> To refer youth aging out of foster care to the Education and Training Vouchers (ETV) Program for the purpose of ensuring youth receive education and training, including postsecondary training and education.						



<p><b>7)</b> To provide IL services to youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption.</p>						
<p><b>8)</b> Ensure youth who are likely to remain in foster care until 18 years of age have regular, on-going opportunities to engage in age or developmentally-appropriate activities, defined as follows:</p> <ul style="list-style-type: none"> <li>Activities or items that are suitable for the youth based on the developmental stages attained by the youth with respect to the cognitive, emotional, physical, and behavioral capacities of the youth.</li> </ul>						



# SCOPE OF WORK DEVELOPMENT AND REVISION FORM

AGENCY NAME: \_\_\_\_\_

GRANT NAME: FAFFY DATE: 4/22/2016

<b>Goal: Global problem statement</b>	<b>Objective and Time Frame</b>	<b>Program Evaluation</b>	<b>How Documented</b>	<b>Target Population</b>	<b>Number of Services Provided</b>	<b>Number of youth to be served</b>
<b>EXAMPLE:</b>  <b>1)</b> Provide comprehensive life skill services to youth 18-21 of age to promote self-sufficiency skills.	<p>The agency will provide independent living skills that promote self-sufficiency to youth ages 18-21 that have aged out of Nevada foster care.</p> <p>The Project Period is July 1, 2016 through June 30, 2017.</p>	<p>Services provided are based on the youth's Independent Living Plan. In collaboration with the local Child Welfare Agency, the Independent Living Coordinator and the youth will develop a plan to increase independent living skills that promote self-sufficiency.</p>	<p>Sign-in sheet for life skills classes, UNTIY case notes and youth files will document contact, attendance to life skills classes and financial assistance.</p>	<p>Former Foster Youth ages 18-21.</p>	<p>Life skills classes will be held weekly. Daily one-on-one contact as needed. Classes will include but not limited to: personal and interpersonal skill development, vocational and career planning, job skills and employment opportunities, assistance in obtaining a high school diploma or GED, preventative health activities, and mentoring.</p>	<p>This agency commits to serving 90 youth per quarter, or 360 per year.</p>



**Staff Qualifications and Job Descriptions**

Provide a brief job description, including required qualifications, education and experience of staff for whom funding is being requested out of VOCA, by completing the table below. Please be sure to identify the funding source(s) for each proposed position.

<u>Funding Source</u>	<u>Position Title</u>	<u>Required Qualifications</u>		<u>Brief Job Description</u>
		<u>Education</u>	<u>Experience</u>	



### **Community Coordination / Collaboration**

List all agencies that your program coordinates / collaborates with and describe the coordination of activities. DCFS reserves the right to contact the agencies listed. Remember to include a copy of your Memorandums of Understanding.

Agency Name	Contact Name and Phone Number	Describe Coordination of Activities



### **Budget Narrative**

Provide an explanation / justification for each expense listed in the budget detail for each category. Ensure that the budget items are clear and appropriate for the project.

Example:

Office rent at 500 square feet x \$1.54/square foot per month x 12 months = \$9,240/year

**(Length = 3 page maximum, 12-point font, single-spaced)**

Insert text here.

### **Budget Forms**

Please use the Budget Request and Justification Forms to complete your budget. Please complete separate budgets for each funding source. The Budget Request and Justification Forms (ATTACHMENTS D, E, and F) are available as separate attachments on the DCFS RFP website at <http://dcfs.nv.gov/Tips/RFPs/>.



**ADDITIONAL REQUIREMENTS AGREED TO BY SUB GRANTEE IN  
RECEIVING FUNDS PURSUANT TO THIS AWARD OR IN APPLICATION  
FOR SAME**

1. The sub grantee agrees to abide by all appropriate provisions and procedures of the Division of Child and Family Services (DCFS).
2. The sub grantee agrees to comply with arrangements for review of accounting procedures, back-up documentation and programmatic information, as initiated by DCFS.
3. The sub grantee agrees to facilitate and participate in annual on-site reviews, where fiscal and programmatic documents will be reviewed and discussed.
4. The sub grantee agrees to comply with the Basic Accounting Requirements.
5. The sub grantee agrees to provide the agreed upon Scope of Service(s).
6. The sub grantee agrees to comply with general financial requirements and submit the Monthly Financial Status and Request for Funds Report form (Reimbursement form) as prescribed by DCFS Grants Management Unit (GMU). Payment for services rendered under this grant will only be made after the complete and correct financial request has been approved by the GMU.
7. The sub grantee agrees to submit quarterly program performance reports utilizing the online reporting system.
8. The sub grantee certifies that the proposal upon which these grant funds are based was authorized by the governing body of the applicant.
9. The sub grantee agrees to comply with Public Law 103-227, Part C, Environmental Tobacco Smoke (Pro Children Act of 1994) requiring that smoking not be permitted in any portion of any indoor area routinely owned or leased or contracted for by any entity and used routinely or regularly for provision of health, day care, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant certifies that the agency/organization will comply with this Act (Public Law 103-227).
10. The sub grantee acknowledges that this grant/sub grant award may be terminated with 30 days written notice by either party.
11. The sub grantee has provided DCFS GMU with verification that the following insurance coverage meets State of Nevada insurance requirements: Worker's Compensation Insurance, Commercial General Liability Insurance, Business Automobile Insurance (for agency owned vehicles) and Professional Liability Insurance (as applicable).



12. The sub grantee will cooperate with DCFS GMU and any contractor hired by the GMU in establishing a professional program evaluation system to include outcome measures and the measurement of consumer impact.
13. Require its employees, board members and volunteers to maintain the confidentiality of any information, which would identify persons receiving services.
14. The sub grantee agrees to mark equipment purchased with grant funds with the grant name, track equipment by the acquisition date, cost, percentage of grant funds used and disposition information. Equipment must be returned to DCFS if the sub grant is terminated or if the sub grantee is no longer funded by the particular grant source in the following grant cycle.
15. The sub grantee acknowledges that this sub grant award is contingent upon available funding and may be reduced within the sub grant period.
16. The sub grantee agrees to have a 5-year record retention schedule for the ML / DV, FVPSA and VOCA sub-grant documentation.
17. The sub grantee agrees to make its services available to clients who may not be specified within their Scope of Work and upon the request of DCFS, in the event of a disaster.
18. The sub grantee must promptly refer to the Department of Justice (DOJ) Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. The condition also applies to any sub recipients. Potential fraud, waste, abuse or misconduct should be reported to the OIG by:

Mail:

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

Email: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

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

Or Hotline fax: (202) 616-9881

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

19. Sub grantee understands and agrees that it cannot use any Federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the Office of Justice Programs (OJP).



20. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving", 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages sub grantees and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
21. The sub grantee agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the name and total compensation of the five most highly compensated executives of the sub grantee and first-tier sub recipients of award funds. Such data will be submitted to the Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting System (FSRS). The details of sub grantee obligations, which derive from the Federal Funding Accountability and Transparency act of 2006 are posted on the Office of Justice Programs website at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own operate in his or her name).
22. The sub grantee understands and agrees that penalties and interest are not allowable expenditures.

All documents, certifications and Public Laws addressed in this document are considered part of the conditions under which this sub-grant is offered and must be adhered to by the sub grantee. Additional requirements of the sub-grantee may also apply.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of President / Chairperson of Governing Body, Tribal  
Authority or Director of Public Agency

\_\_\_\_\_  
Date



## BASIC ACCOUNTING REQUIREMENTS (ATTACHMENT A)

Accounting for grant funds will be in accordance with generally accepted accounting principles, insofar as practicable, consistently applied, regardless of the source of funds. The Division of Child and Family Services reserves the right, however, to prescribe the method of accountability in any particular case.

SUPPORTING RECORDS OF GRANT EXPENDITURES MUST BE IN SUFFICIENT DETAIL TO SHOW THE EXACT NATURE OF EXPENDITURES. WHERE COSTS APPLY TO TWO OR MORE PROJECTS, SUCH COSTS WILL BE PRORATED TO EACH GRANT.

1. Establish a system of FUND ACCOUNTING approved by the Division of Child and Family Services or establish a separate bank account for each grant award.
2. Establish a filing system by State grant identification number. For example:
  - A. One folder for each grant's transactions should suffice where transactions are few.
  - B. Where transactions are many, originate a folder for each cost category described in the grant.
3. Spend only within categories allocated in the grant award.
4. Expenditures accumulated prior to the beginning date of the grant cannot be paid from grant money.
5. Obligations incurred during the grant period may be paid from grant funds after the ending date. All such obligations must be liquidated within 45 days after the end of the project period. Any obligations made after the ending date of the grant cannot be paid from grant money.
6. Any changes to the amounts, periods, and other terms and conditions listed in the notice of grant award must be requested and approved in writing.
7. Budget Category changes: All changes greater than 10% in any category must be approved in writing in advance by the granting agency.
8. Board of Directors for the project should establish a written travel policy prior to the start of the grant. Approval of this policy should be available for audit review. Travel reimbursement is limited to State rates.



## NEVADA DIVISION OF CHILD & FAMILY SERVICES

<b>SUBJECT:</b> <b>HIPAA Business Associate Addendum and Confidentiality Agreement Policy</b>	
<b>POLICY NUMBER:</b>	0003-2004
<b>NUMBER OF PAGES:</b>	9
<b>EFFECTIVE DATE:</b>	Upon Approval or April 20, 2005
<b>ISSUED DATE:</b>	March 18, 2004
<b>REVIEWED:</b>	
<b>DATE:</b> 03/18/04	<b>BY:</b> Pete Galantowicz, Psychologist I
09/01/04	<b>BY:</b> DHR HIPAA Core Team
09/14/04	<b>BY:</b> DCFS HIPAA Review Team
04/01/05	<b>BY:</b> DCFS Policy Clearance Review
<b>SUPERSEDES:</b> n/a	
<b>PAGES:</b>	
<b>APPROVED BY:</b> Signature on file	
<b>NAME/TITLE:</b>	Diane Comeaux, Administrator Division of Child & Family Services
<b>REFERENCES:</b>	45 CFR §§ 160 and 164
<b>ATTACHMENTS:</b>	Business Associate Addendum (BAA) Confidentiality Agreement (CA)

### **A.     Purpose**

The purpose of this policy is to implement the requirements of the final Health Insurance Portability and Accountability Act (HIPAA) privacy and security rule outlined 45 CFR §§ 160 and 164. The regulations require a covered entity to have a written contract or other arrangement documenting satisfactory assurance that a business associate will appropriately safeguard client protected health information.

The Division of Child and Family Services (DCFS) has business activities that include both covered and non-covered functions as defined by HIPAA. Therefore, DCFS is a hybrid entity.

As a hybrid entity, DCFS is required to designate the health care components covered under HIPAA. The designated health care components are the functions performed by the Northern and Southern Nevada Child and Adolescent Services.

### **B.     Intent**

The intent of this policy is to provide the procedures and forms for DCFS to determine what type of contracts or other agreements require a Business Associate Addendum (BAA) and/or a Confidentiality Agreement (CA).



### **C. Definitions**

#### **Business Associate:**

A business associate is a person or organization that performs functions on behalf of a covered entity or provides services to a covered entity that *involve* the use or disclosure of client protected health information.

A member of the DCFS workforce is not a business associate. A business associate may be another covered entity.

A contract with an outside provider to furnish client assessments, such as, a licensed psychologist, would be considered a business associate.

#### **Non-Business Associate:**

A non-business associate is a person or organization that performs certain functions or activities that *do not involve* the use or disclosure of client protected health information, and where any access to client protected health information by such persons would be *incidental*, if at all.

An example of a non-business associate would be an individual or organization contracted to provide building maintenance or janitorial services.

#### **Protected Health Information (PHI) and Electronic Protected Health Information (ePHI):**

Protected health information is any information, whether oral or recorded in any form or media, that:

- A covered entity creates or receives;
- Relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the payment of health care to an individual;
- Identifies the client or there is reasonable basis to believe that the information could be used to identify the individual; and
- Is ePHI if transmitted by electronic media, maintained in any media described as electronic media, or transmitted or maintained in any other form or media.

### **D. Procedures for Contracts, Sub-Grants and Inter-local Agreements**

DCFS may disclose protected health information to a business associate and/or organization and may allow a business associate and/or organization to create or receive protected health information on its behalf. However, DCFS must ensure that proper safeguards are in place.

Certain contractors may be considered part of the DCFS covered component's workforce, if the following criteria apply:

1. The workstation of the individual under contract is on the covered health care component's premises; and
2. The person performs a substantial proportion of his/her activities at this location.

Contractors, meeting the definition of a workforce member, do not require a business associate addendum.

DCFS will obtain satisfactory assurances that the contracts or other arrangements between DCFS and its business associates comply with the procedures described herein.



1. DCFS will identify existing contracts or other arrangements with individuals or organizations that meet the definition of a business associate.
2. DCFS will obtain satisfactory assurances that contracts or other arrangements with individuals or organizations, meeting the definition of a business associate, will include the BAA.
3. DCFS, upon learning that a pattern of activity or practice of an individual or organization constitutes a material breach or violation of the BAA obligation under the contract or other arrangement, will take reasonable steps to cure the breach or end the violation, as applicable. If such steps are unsuccessful, DCFS will:
  - a. Terminate the contract or arrangement, if feasible; or
  - b. Report the problem to the Department of Health and Human Services if termination is not feasible.

DCFS will obtain satisfactory assurances that inter-local agreements with *other government agencies* include a CA. DCFS, upon learning that a pattern of activity or practice by an individual or organization constitutes a violation of the CA under the inter-local agreement, will take reasonable steps to cure the breach or end the violation, as applicable.

Unless bound by Federal regulations or State statutes that are more restrictive, covered and non-covered programs administered by DCFS will follow this policy to safeguard individually identifiable health information, as applicable.

The Business Associate Addendum attached to this policy fulfills all the requirements specified by HIPAA privacy and security standards with regard to business associate relationships. The Confidentiality Agreement promotes the exercise and practice of due diligence in protecting the client personal information that may be made available to other government entities.

#### **E. Guideline for Identification**

This guideline identifies when to use a BAA, CA, or when standard document language is recommended.

Inter-local Agreements: An inter-local agreement is an arrangement between government agencies. Although these arrangements are not required to have a BAA, HIPAA regulations recommend a form of understanding be utilized to protect the covered entity. Therefore, the Confidentiality Agreement (CA) should be attached to all inter-local agreements.

Independent Contracts: These contracts must be reviewed based on covered and non-covered components.

##### Covered Components:

All contracts must have a BAA attached where services *directly involve* the use or disclosure of client protected health information.

All contracts for services *not directly involving* client protected health information do not require a BAA. The State independent contract template, which has been approved by the Attorney General's Office, provides the requirements for confidentiality.

##### Non-covered Components:

For contracted services having *direct access* to client protected health information, it is *recommended* the contract have a BAA attached. For the non-covered components within DCFS, these contracts normally will be with individuals or organizations providing direct services, such as, a licensed psychologist, who is providing assessments for child welfare services.

Contractors who *do not require access* to client protected health information do not require a BAA. The State contract template provides the confidentiality requirements. An example of this type of contract would be a contract providing lawn service for a juvenile justice office.



Provider Agreements: All provider agreements for covered or non-covered components of DCFS are recommended to have a BAA.

Leases: Lease agreements for covered or non-covered components are not required to have a BAA.

Sub grants: Sub grants requiring access to PHI must have the BAA as an attachment to the award notification. The sub grants not requiring access to PHI do not require a BAA. The sub grant specifications and requirements provide the conditions for confidentiality.

Record Retention for any contract or other agreement for a covered or non-covered health care component having a BAA attached must have a record retention period of a minimum of six (6) years.

F. Business and Non-Business Associate Tracking

DCFS designated staff will maintain a log to track the business and non-business associate contracts, grants/sub grants, inter-local agreements and other arrangements. The log will be provided to the DCFS HIPAA Privacy and Security Officer as necessary to review compliance.



## ASSURANCES AND AGREEMENTS – FEDERAL GRANTS

As the duly authorized representatives of the applicant organization, we certify that by submitting this proposal, the applicant will:

1. Establish safeguards to prohibit employees or board members from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
2. Have a copy of its official organizational by laws and amendments available for review. (Required of Community Based Organizations only)
3. Have resumes for key personnel on file.
4. Initiate and complete the Scope of Work within the applicable time frame after receipt of approval from the Division of Child and Family Services (DCFS).
5. Inform the awarding agency within 30 days of any substantial material situations affecting the successful completion of this project.
6. Comply with all Federal and State statutes relating to nondiscrimination, including, but not limited to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975.
7. Comply with the provisions of the Hatch Act which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
8. Comply with P.L. 93-348 regarding the protection of human subjects involved in research, development and related activities supported by this award.
9. Comply with all applicable requirements of all other State and Federal laws, executive orders, regulations and policies governing the program.
10. Abide by all appropriate provisions and procedures of DCFS.
11. Comply with the DCFS Business Associate Addendum (effective 4-20-05).
12. Comply with the minimum wage and maximum hours of the Federal Fair Labor Standards Act.
13. Provide reports as required by the awarding agency as well as additional information requested by the awarding agency.
14. Provide the awarding agency with a copy of each outside audit conducted for the organization, whether that audit is a formal audit or a report from a qualified, independent source which provides an opinion regarding the financial practices and solvency of the applicant organization. **(Formal audits are required for organizations that received \$500,000.00 or more in Federal funds during a Federal Fiscal Year.)**



\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of President / Chairperson of Governing Body, Tribal  
Authority or Director of Public Agency

\_\_\_\_\_  
Date



Division of Child and Family Services  
Grants Management Unit

## CERTIFICATION OF APPLICATION

The applicant certifies the following:

To the best of our knowledge and belief, the information in this application is true and correct and all documents requiring signature and date have been appropriately signed and dated. The application for funds has been authorized by the governing body of the applicant. The applicant will comply with the Assurances and Agreements if the application is funded.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
President/Chairperson of Governing Body,  
Tribal Authority or Director of Public Agency

\_\_\_\_\_  
Date



Division of Child and Family Services  
Grants Management Unit

## CERTIFICATION OF REPORTING REQUIREMENTS

The applicant certifies the following:

By signing this certification, the agency certifies that it can meet the reporting requirements for the funds which include all required program and financial reports to be submitted to DCFS within 15 calendar days after the end of the month for financial reports and 15 calendar days after the end of the quarter for programmatic reports.

The following personnel will be responsible for ensuring that the reporting data is submitted to DCFS on-time:

Primary Person's Contact Information:

Name:	
Phone Number:	
Email Address:	

Secondary Person's Contact Information (Financial Contact preferred):

Name:	
Phone Number:	
Email Address:	

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantee Legal / Corporate Entity Name

\_\_\_\_\_  
Date



## CERTIFICATION # 1

### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction”, “debarred”, “suspended”, “ineligible”, “lower tier covered transaction”, “participant”, “person”, “primary covered transaction”, “principal”, “proposal” and “voluntarily excluded”, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549: 45 CFR Part 76. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations or the definitions.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, the prospective lower tier participant shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions” will be included, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon the certification of a prospective participant in a lower tier covered transaction that the prospective participant is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless the participant in a covered transaction knows that the certification is erroneous. A participant may decide the method and frequency of determining the eligibility of the principals. Each participant may, but is not required to, check the Non-procurement List (of excluded parties).



8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is debarred, suspended, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including debarment and/or suspension.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary  
Exclusion –  
Lower Tier Covered Transactions**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither the prospective participant or the prospective participant's principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Suspension. An action taken by a suspending official in accordance with these regulations that immediately excludes a person from participating in a covered transaction for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceedings as may ensue. A person so excluded is "suspended".

Voluntary Exclusion or Voluntarily Excluded. A status of nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Grantee Legal / Corporate Entity Name

\_\_\_\_\_  
Date



## **CERTIFICATION # 2**

### **Certification Regarding Drug-Free Workplace Requirements**

#### **Instructions for Certification**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If grantee does not identify the workplace at the time of the application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in the office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other areas where work under the grant take place. Categorical descriptions may be used (e.g. all vehicles of a mass authority of State highway department while in operation, State employees in each local unemployment office, performance in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s) if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to the certification. Grantee's attention is called, in particular, to the following definitions from these rules:

Controlled substances means a controlled substance in Schedules I through V of the Controlled Substance Act (21 U.S.C. #12) and as further defined by regulations (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of Nolo Contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (I) All direct charge employees; (II) All indirect charge employees under their impact or involvement is insignificant to the performance of the grant; and (III) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the



payroll of the grantee (e.g., volunteers, even if used to meet a matching requirements consultants or independent contractors not on the grantee's payroll; or employees of sub-recipients or subcontractors in covered workplaces).

#### **Alternate I - Grantees Other Than Individuals**

The grantee certifies that it will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing 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;
  - (4) The penalties that may be imposed upon employees or drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is convicted:
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency; Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).



- (g) The grantee may insert the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE:

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STREET ADDRESS	CITY	COUNTY	STATE	ZIP CODE
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Are there workplaces on file that are not identified here? ☐ YES ☐ NO

**Alternate II - Grantees Who Are Individuals**

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of controlled substance in conducting any activity with the grant;
- (b) If the convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include identification number(s) of each affected grant.

[55 FR 2160, 21702, May 25, 1990]

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Signature

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Title

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Grantee Legal / Corporate Entity Name

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Date



### CERTIFICATION # 3

#### CERTIFICATION REGARDING LOBBYING

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress 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 funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form 111, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

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.

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Signature

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Title

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Grantee Legal / Corporate Entity Name

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Date



## CERTIFICATION #4

### Certification Regarding Environmental Tobacco Smoke

Public Law 103-227, Part C – Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (ACT), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application, the applicant/grantee certifies compliance with the requirements of the Act. The applicant/grantee further agrees that the language of this certification will be included in any sub awards which contain provisions for children's services and that all sub grantees shall certify accordingly.

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Signature

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Title

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Grantee Legal / Corporate Entity Name

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Date



## CERTIFICATION # 5

### Certification Regarding Equal Treatment for Faith-Based Organizations

A final rule of the Department of Health and Human Services (DHHS) went into effect on August 16, 2004, which created, among other things, a new Part 87 Equal Treatment for Faith-Based Organizations, and revised the Department's uniform administrative requirements at 45 CFR Parts 74, 92 and 96 to incorporate the requirements of Part 87.

The Administration of Children and Families (ACF) is committed to providing State Administrators, State Grant Managers and subsequently sub-grantees with the most accurate and concise information to help guide program activities. This regulation addresses several key Equal Treatment issues that require full compliance by Federally-funded State Programs, sub-grantees, grantees and contractors.

Issues include:

- 1) Nondiscrimination against religions organizations;
- 2) Ability of religious organizations to maintain their religious character, including the use of space in their facilities, without removing religious art, icons, scriptures, or other religious symbols;
- 3) Prohibition against the use of Federal funds to finance inherently religious activities, except where Federal funds are provided to religious organizations as a result of a genuine and independent private choice of a beneficiary or through other indirect funding mechanisms, such as certificates or vouchers; and
- 4) Application of State or local government laws to religious organizations.

**NOTE:** Neither the Department (DHHS) nor any State or local government and other intermediate organizations receiving funds under any Department (DHHS) program shall, in the selection of service providers, discriminate for or against an organization on the basis of the organization's religious character or affiliation.

It is imperative that State sub grantees, grantees and contractors policies reflect the Equal Treatment Regulations. The full text of the final rule may be accessed via the Internet at <http://www.hhs.gov/fbc/regs.html>

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 45 CFR Part 87, Equal Treatment for Faith-Based Organizations as revised in the Department's uniform Administrative requirements identified above. Any organization that fails to file the required certification shall be subject to disqualification of their application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Grantee Legal / Corporate Entity Name

\_\_\_\_\_  
Date