

**OFFICE OF THE ATTORNEY GENERAL
CRIME VICTIM SERVICES DIVISION**

**Sexual Assault Prevention and Crisis Services—Federal
(SAPCS-Federal)
FY2008-2009 Technical Assistance Grant Application Kit
For Grants Effective 03-01-08**

This Kit contains the following:

Instructions

Certifications and Assurances

Required Attachments A & B

Application (Word Document)

Budget (Excel Document)

**Excel Workbook (for Applicants that do not have a current OVAG/VCLG/SAPCS-State or
SAPCS-Federal grant contract)**

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Sexual Assault Prevention and Crisis Services Program—Federal (SAPCS-Federal) FY2008-2009 Technical Assistance Grant for Grants Effective 03-01-08

How to Obtain an Application Kit: The OAG will post the Application Kit on the OAG's official agency website at <http://www.oag.state.tx.us/victims/grants2008.shtml>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicants are encouraged to refer to this site regularly.

This Application Kit provides the information and forms necessary to prepare an Application for funding through the Office of the Attorney General (OAG), Crime Victim Services Division (CVSD) for the SAPCS-Federal FY2008-2009 Technical Assistance Grant for grants effective 03-01-08.

- An Applicant may apply for one (1) SAPCS-Federal Technical Assistance Grant funding opportunity.

Application Submission

All applicants must submit an Application (Word document) and the required attachments: Budget (Excel document), Attachment A, Attachment B, Job Descriptions, and Supporting Documents as indicated in the Application (Word document). Applicants must ensure that their name is on each page of the Application as well as all other documents submitted. In addition, applicants who do not have a FY2008-2009 SAPCS-Federal, SAPCS-State, OVAG or VCLG grant contract must also submit the Excel Workbook.

The Applicant must submit an Application for SAPCS-Federal funding by 5:00 p.m. CST on January 15, 2008 in the following manner to be considered for funding.

Hard Copies sent via Next Day Air Overnight Delivery Service as named below:

- The Applicant must use either Federal Express, United Parcel Service, DHL or Lone Star Next Day Air Overnight Delivery Service.
- Applications hand-delivered by the Applicant or submitted via any kind of same day courier service, including the delivery services listed above, will not be accepted.
- The Applicant must submit one (1) original and three (3) copies (including attachments) of the Application.
- The Application must be sent to the following address:

CVS GRANTS APPLICATIONS – MC 005
OFFICE OF THE ATTORNEY GENERAL
300 W 15TH ST RM 102
AUSTIN, TX 78701-1649

- The original and three copies (including attachments) must be received by 5:00 p.m. CST on January 15, 2008.
- The Application should be printed on 8.5 x 11 inch paper. Separate each Application with a binder clip. Do not staple or otherwise bind Applications.

The OAG accepts no responsibility for delays in shipping. Applicants are strongly advised to allow for and anticipate any such delays by sending the Application as early as possible. Late Applications will not be considered under any circumstances and will be returned.

It is the Applicant's responsibility to deliver the Application to the OAG in the specified manner and by the specified date and time. **Applications submitted in other formats, including email, fax, hand delivery or hand-delivery by any kind of same day courier service, including the delivery services listed above, will not be accepted.** Proof of sending a document by email or other means is not proof that the OAG received the information.

The OAG will not consider or fund an Application if it is not filed by the due date, 5:00 p.m. CST on January 15, 2008.

Required Software

Microsoft Excel and Word is required to complete the Application and apply for a grant. *Adobe Reader* is required to access the Application Kit. *Adobe Reader* can be downloaded free at www.adobe.com.

Availability of Funds

The source of federal funds includes the Federal Department of Health and Human Services, Preventative Health and Health Services Block Grant, Catalog of Federal Domestic Assistance (CFDA) Number 93.991 and Injury Prevention and Control Research and State and Community Based Programs, CFDA Number 93.136. The federal funds are used for grant contracts supporting the prevention of sexual assault and/or sexual violence. All funding is contingent upon the appropriation of funds by the United States Congress and the Texas Legislature and upon approval of an application for funds by the OAG. The OAG makes no commitment that an application, once submitted, or a grant, once funded, will receive subsequent funding.

Grant Contract Period - Up to 18 Months

The term of this grant contract period is up to eighteen (18) months from March 1, 2008 through August 31, 2009, subject to and contingent on funding and approval by the OAG. If the grant contract period extends for more than one fiscal year, the grantee may be required to submit additional documentation relating to the second fiscal year of the grant contract period, including an updated budget. The OAG may base its decision on the second fiscal year funding amounts on the grantee's first year performance, including but not limited to: the timeliness and thoroughness of reporting, effective and efficient use of grant funds and the success of the project in meeting its goals.

Eligible Applicants

Eligible applicants are:

- Local units of government, excluding law enforcement agencies and prosecutor's offices;
- Non-profit agencies with 26 U.S.C. § 501(c)(3) status; or
- State agencies

Only programs which would qualify as “statewide” by the below criteria are eligible to apply. A statewide program is an entity that actively offers or provides services in six or more Council of Government “COG” regions (see Council of Governments website for COG regions located at http://www.txregionalcouncil.org/display.php?page=regions_map.php). To be eligible for special project funding, a statewide program must show that it supports efforts to maintain or expand existing services offered by local sexual assault programs; to improve sexual assault services to survivors; or other activities consistent with Texas Government Code, Chapter 420, Subchapter A.

Eligible Budget Categories

- Personnel
- Fringe Benefits
- Professional and Consultant Services
- Travel
- Equipment
- Supplies
- Other Direct Operating Expenses

Ineligible Costs

Ineligible costs include, but are not limited to:

- Administrative costs such as audit expenses, payroll services, accounting services, and personnel whose responsibilities are administrative in nature and have no direct involvement with the primary prevention planning process and/or delivery of approved activities
- Payment for overtime, dues, or lobbying
- Payment for out-of-state travel for local programs
- Purchasing food and beverages except as allowed under Texas State Travel Guidelines
- Purchasing or leasing vehicles
- Purchasing promotional items or recreational activities
- Paying for travel that is unrelated to the direct delivery of services that supports the OAG funded program
- Paying consultants or vendors who participate directly in writing a grant application
- Paying any portion of the salary or any other compensation for an elected government official
- Payment of bad debt, fines or penalties
- Medical costs, such as SANE fees or salaries, or items paid for by the CVC Fund
- Payment for research
- Payment for providing direct counseling, treatment, or advocacy services to victims or perpetrators of sexual assault and/or sexual violence
- Payment for media or awareness campaigns that exclusively promote awareness of where to receive victim services
- Payment for construction or renovation
- Payment for the development of major software applications
- Purchasing any other products or services the OAG identifies as inappropriate or unallowable
- Any unallowable costs set forth in state or federal cost principles

Funding Levels

For each fiscal year of the grant term, the following are the minimum and maximum amounts the OAG will reimburse toward this SAPCS-Federal project. Applications requesting an amount below the minimum may not be considered and/or may impact the Applicant's score.

Applications requesting an amount above the maximum may not be considered and/or may impact the Applicant's score, and the budget may be adjusted by the OAG.

| FY 2008 Minimum Amount | FY 2008 Maximum Amount | FY 2009 Minimum Amount | FY 2009 Maximum Amount |
|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| \$20,000 | \$230,000 | \$20,000 | \$200,000 |

Match Requirements

There are no match requirements for the SAPCS-Federal project.

Volunteer Requirements

All SAPCS-Federal Applicants are required to use volunteers in some way to support the mission of their organization. Applicants must identify the role of volunteers within the organization.

State and Federal Requirements

All Applicants should review and be familiar with the OAG administrative rules governing the SAPCS-Federal Program. These rules are published in 1 Texas Administrative Code, Chapter 62: [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=1&pt=3&ch=62&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=3&ch=62&rl=Y)

In addition to the OAG's administrative rules, Applicants should be familiar with the Uniform Grant Management Standards (UGMS) and relevant Office of Management and Budget (OMB) Circulars that relate to state and federal grant funding.

- UGMS can be found at: <http://www.governor.state.tx.us/divisions/stategrants/guidelines/view>
- OMB Circulars can be found at: <http://www.whitehouse.gov/omb/circulars/>

Contact Information

Assistance with technical questions about the Application Kit is available via:

- Email: CVSGrantsApplications@oag.state.tx.us
- Phone: Contact Jennifer McShane at 512-936-1278

Each person submitting a question should include his/her name, the name of the organization, an email address and a phone number. Email is the preferred method for submitting questions. OAG staff cannot assist with writing Applications.

Project Requirements

- Build capacity of SAPCS-Federal grantees to engage in primary prevention planning, implementation, and evaluation by providing technical assistance and training throughout Texas as part of the Primary Prevention Capacity Building Team.
- Provide in-depth technical assistance to SAPCS-Federal grantees in developing community based, culturally relevant primary prevention strategies, activities, materials,

and evaluation tools in line with priority targets set by the Primary Prevention Planning Committee (PPPC).

- Develop primary prevention programming specifically for underserved populations and/or programming that engages and organizes men in primary prevention efforts and provide training and technical assistance statewide on these issues.
- Support and assist the OAG with the planning and implementation of a FY2008 OAG one or two-day conference on primary prevention, including workshops provided by national experts.

Staffing Requirements

- Only those positions that are directly related to achieving the project requirements will be funded. This includes positions that have direct involvement in the planning, implementation, or delivery of project activities and positions who directly supervise such staff.
- Job Descriptions are required and must be submitted for all positions requesting funding.
- This funding source does not allow for the payment of administrative costs such as personnel whose responsibilities are administrative in nature.

Review Process

The OAG will review each timely, completed Application filed by an eligible Applicant.

- At any time during the review process an OAG staff member may contact the Applicant for additional information.
- All areas of the budget are subject to review and approval by the OAG. Decisions related to the budget are based on both eligibility and reasonableness.

Scoring

The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring components will include, but are not limited to, information provided by the applicant on the organization's capacity, infrastructure, experience and supporting documentation; the proposed project activities and budget; and whether the Applicant is a current SAPCS-Federal grantee.

Grant Decisions

All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

The OAG may choose to award a grant contract from a different OAG funding source than that for which the Applicant applied.

The OAG is not obligated to award a grant at the total amount requested and/or within the budget categories requested. The OAG reserves the right to make awards at amounts above and/or below the stated funding levels.

Funding Priority

The OAG may give priority to current SAPCS-Federal grantees.

Grant Award Notification

The Applicant shall be notified in writing of the OAG's decision regarding a grant award.

The OAG may utilize a grant contract document and/or a notice of grant document once a decision is made to award a grant. The Applicant will be given a deadline to accept the grant award and to return the appropriate document to the OAG within the time prescribed by the OAG. An Applicant's failure to return the signed document to the OAG within the prescribed time period will be construed as a rejection of the grant award, and the OAG may de-obligate funds.

Special Conditions

The OAG may assign special conditions at the time of the award. Until satisfied, these special conditions may affect the Applicant's ability to receive funds. If special conditions are not resolved, the OAG may de-obligate up to the entire amount of the grant award.

Reporting Requirements

If an Application is funded, grantees will be required to report to the OAG in the manner and schedule as determined by the OAG. Reporting on grant project activities such as outputs and outcomes via quarterly Performance Reports will be required.

Method of Payment

OAG grants are paid on a cost-reimbursement basis.

Definitions

Community Mobilization – efforts to build the capacity of communities to be able to work together towards achieving a common goal.

Comprehensive Primary Prevention Planning – a planning process to use primary prevention in order to address sexual assault and/or sexual violence by assessing current programs and developing future programs. Planning should develop programs that are multi-faceted, evidenced-based, theory-based, includes public health behavior change principles and addresses multiple levels of influence within an ecological model.

Ecological Model – the ecological model used by the CDC; includes four levels of influence: individual, relationship, community, and societal. Working within this model, individual risk factors as well as the norms, beliefs, and social and economic systems that create the conditions for sexual assault and/or sexual violence to occur can be identified. Effective strategies and activities can then be developed that work to change or eliminate the risk factors that support the occurrence of sexual assault and/or sexual violence. Directing activities at all levels of influence provide a comprehensive approach to primary prevention.

Primary Prevention of Sexual Assault and/or Sexual Violence – population-based and/or environmental and system-level strategies, policies and actions that prevent sexual assault and/or sexual violence from initially occurring.

- Primary prevention efforts work to modify and/or entirely eliminate the event, conditions, situations, or exposure to risk factors associated with the initiation of violence and subsequent injuries, disabilities, and deaths.
- Prevention efforts seek to identify and enhance protective factors that may prevent violence not only in at-risk populations, but also in the community at-large.

Public Health Approach – a four step process that includes:

- Defining the problem based on collecting and analyzing data about a health issue
- Identifying risk and protective factors
- Developing and testing prevention strategies
- Assuring widespread adoption

Sexual Violence – as used by the CDC, sexual violence is a wide range of acts that occur in a variety of settings, consisting of four types: (1) A completed sex act without the victim's consent, or involving a victim who is unable to provide consent or refuse; (2) An attempted (but not completed) sex act without the victim's consent, or involving a victim who is unable to provide consent or refuse; (3) Abusive sexual contact including intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person without his or her consent, or of a person who is unable to consent or refuse; and (4) Non-contact sexual abuse including voyeurism; intentional exposure of an individual to exhibitionism; pornography; verbal or behavioral sexual harassment; threats of sexual violence to accomplish some other end; or taking nude photographs of a sexual nature of another person without his or her consent or knowledge, or of a person who is unable to consent or refuse.

Instructions for Completing the Budget

If a contract is awarded, more detailed budget information will be requested.

Conference Budget

Include in the appropriate categories of the budget the costs associated with providing a 2-day conference on primary prevention in Austin, Texas. For the budget, estimate 100 attendees, 4-8 nationally-recognized speakers, one large meeting room and 4 breakout rooms. Include funds to cover travel expenses and hotel lodging for attendees.

Personnel

- List personnel in order of funding priority.
- The personnel budget category must include salaries of employees only and not compensation paid to independent contractors. "Employee" is defined as a person under the direction and supervision of the grantee, who is on the payroll of the grantee and for whom the grantee is required to pay applicable withholding taxes; or a person who will be on the grantee's payroll and for whom the grantee will pay applicable income withholding taxes once the grant is awarded.
- Salaries for grant funded positions must be reasonable and comply with the grantee's salary classification schedule. The grantee must maintain documentation supporting that the salary is commensurate with that paid in the geographical area for positions with similar duties and qualifications.
- Each position listed must have a job description. Job descriptions must be submitted with the Application.
- Each position listed should be identified clearly, so that the discussion of each position in the budget narrative can be readily identified.

Fringe Benefits

- "Fringe Benefits" is defined as allowances and services provided by the grantee to its employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave, employee insurance, pensions, and unemployment benefit plans.
- Grant funds may be used to pay fringe benefits of an employee only if grant funds are also being used to pay for the salary of the same employee.
- The percentage of fringe benefits may not exceed the percentage requested for the salary of the corresponding position.
- A grantee must provide grant-funded personnel the same fringe benefits provided to all other non-grant-funded personnel of the grantee, regardless of whether the costs for fringe benefits are paid through that OAG grant.
- Fringe benefits must comply with the grantee's personnel policies regarding fringe benefits.

Professional and Consultant Services

- "Professional and Consultant Services" is defined as a service for which the grantee uses an outside source for necessary support.

- See notations on page 5 regarding ineligible costs.
- Any contract or agreement entered into by a grantee that obligates grant funds must be in writing and consistent with Texas contract law.
- Grantees must maintain adequate documentation supporting budget items for a contractor's time, services, and rates of compensation. Grantees must establish a contract administration and monitoring system to regularly and consistently ensure that contract deliverables are provided as specified in the contract.
- Grant funds may not be used to pay for any professional and consultant service for a person or vendor who participated directly in writing a grant application.

Travel

- Travel expenses may be reimbursed according to the Texas State Travel Guidelines, unless a grantee's travel policy provides for a lesser reimbursement. The reimbursement rate for mileage, in-state per diem, hotel, car rental, and airfare expenses can be found in the Texas State Travel Guidelines at:
<https://fmx.cpa.state.tx.us/fm/travel/milerate/index.php>.
- Travel must relate directly to the delivery of services that supports the project that is funded by the OAG grant.
- Do not include conference registration fees in the travel budget category. Conference registration fees are listed in the "Other Direct Operating Expenses" budget category.
- Statewide Programs may apply for out-of-state travel.

Equipment

- "Equipment" is defined as an article of non expendable, tangible personal property having a useful life of more than one (1) year and a per unit acquisition amount which equals the lesser of the capitalization level established by the grantee for financial statement purposes or \$5,000.
- A grantee may use equipment paid for with OAG funds only for grant-related purposes, and not for personal use.
- Computers, regardless of amount, should be included under equipment.

Supplies

- “Supplies” is defined as consumable items directly related to the day to day operation of the grant program. Allowable items include, but are not limited to, office supplies, paper, postage, and education resource materials.
- The OAG will not approve funds for the purchase of program promotional items or recreational activities.
- Amounts for supplies should be allocated for the employees listed on this Application.

Other Direct Operating Expenses

- “Other Direct Operating Expenses” is defined as those amounts not included in other budget categories and which are directly related to the day-to-day operation of the grant project.
- Funds may not be used to purchase food and beverages.
- Registration fees for conferences and other training sessions should be included in this category.

OAG Certifications and Assurances

**A. THE UNIFORM GRANT MANAGEMENT STANDARDS (“UGMS”), PART III,
SECTION _____.14; PROMULGATED BY THE OFFICE OF THE GOVERNOR, STATE OF TEXAS.**

**THE OAG HAS ADOPTED THOSE ASSURANCES AS APPLICABLE
TO ALL RECIPIENTS OF SAPCS - FEDERAL**

The Applicant agrees to:

(1) Comply with Texas Government Code, Chapter 573, Vernon’s 1994, by ensuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two (2) years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

(2) Comply, as applicable, with Texas Government Code, Chapter 552, (“Texas Public Information Act”) which requires the public information that is collected, assembled or maintained by the applicant relative to a project to be available to the public during normal business hours.

(3) Comply with Texas Government Code, Chapter 551, (“Texas Open Meetings Act”) which requires all regular, special or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

(4) Comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.

(5) If Applicant is a health and human services agency or public safety or law enforcement agency, it may not contract with or issue a license, certificate or permit to the owner, operator or administrator of a facility if the license, permit or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.

(6) If Applicant is a law enforcement agency regulated by Texas Government Code, Chapter 415, it must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 415, Texas Government Code or must provide the OAG with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in the process of achieving compliance with such rules.

(7) Agrees that when incorporated into a grant award or contract, these standard assurances become terms or conditions for receipt of grant funds and that the Applicant shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met.

(8) Comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Applicant shall also ensure that all program personnel are properly trained and aware of this requirement.

(9) Comply with all federal statutes relating to nondiscrimination. These include, but are not limited to, the following: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

(10) Comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § § 276a to 276a-7), the Copeland Act (40 U.S.C. § § 276c and 18 U.S.C. § § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. § § 327-333), regarding labor standards for federally assisted construction sub-agreements.

(11) Comply, as applicable, with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

(12) Comply with the provisions of the Hatch Political Activity Act (5 U.S.C. § 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

(13) Comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

(14) Insure, as applicable, that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protections Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of

the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA, (EO 11738).

(15) Comply, as applicable, with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102 (a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

(16) Comply, applicable, with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

(17) Comply, as applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

(18) Comply, as applicable, in assisting the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

(19) Comply, as applicable, with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

(20) Comply, as applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.

(21) Comply, as applicable, with Public Law 103-277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

(22) Comply, as applicable, with all federal tax laws and are solely responsible for filing all required state and federal tax forms.

(23) Comply, as applicable, with all applicable requirements of all other federal and state laws, executive orders, regulations and policies governing this program.

(24) Certifies, as a signatory party to the grant contract, that it is not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs.

(25) Comply, by adopting and implementing the applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

B. Other Certifications and Assurances

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM CERTIFICATION

The Applicant certifies that if it is required to file an Equal Employment Opportunity Plan (EEO), the Applicant will do so in compliance with the applicable federal requirements.

DISCLOSURE AND CERTIFICATION REGARDING LOBBYING

The Applicant certifies:

1. No federal/state 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 or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with the awarding of any federal/state contract, the making of any federal/state grant, the making of any federal/state loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal/state contract, grant, loan, or cooperative agreement; and

2. If any non-federal/state 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 or the Texas Legislature, an officer or employee of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with this federal/state contract, grant, loan, or cooperative agreement, the undersigned shall contact the CVSD of the OAG for the "Disclosure Form to Report Lobbying."

NON-PROCUREMENT DEBARMENT CERTIFICATION

The Applicant certifies that it and its principals:

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

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes

or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

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

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

If Applicant is unable to certify to any of the statements in this Non-procurement Debarment certification, the Applicant shall attach an explanation. Funding is contingent upon OAG review of this explanation.

DRUG-FREE WORKPLACE CERTIFICATION

The Applicant certifies that it will provide a drug-free workplace by:

A. Publishing a statement notifying employees/assignees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

B. Establishing a drug-free awareness program to inform employees/assignees about:

1. The dangers of drug abuse in the workplace;
2. The applicant's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees/assignees for drug abuse violations.

C. Making it a requirement that each employee/assignee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A).

D. Notifying the employee/assignee in the statement required by paragraph (A) that, as a condition employment/assignment under the grant, the employees/assignee will:

1. Abide by the terms of the statement, and
2. Notify the applicant agency and CVSD, of the OAG of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.

E. Notifying the agency within ten days after receiving notice under subparagraph (D) (2) from an employee/assignee or otherwise receiving actual notice of such conviction.

F. Taking one of the following actions with respect to any employee/assignee so convicted:

1. Taking appropriate personnel action with respect to any employee/assignee so convicted;
2. Requiring such employee/assignee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

G. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs (A), (B), (C), (D), (E), and (F).

ANNUAL SINGLE AUDIT CERTIFICATION

The Applicant certifies to the best of their knowledge and belief that one of the following applicable requirements will be met:

1. The applicant currently expends \$500,000 or more, in combined federal funds during the fiscal year; and, therefore, is required to submit an annual single audit by an independent auditor made in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133.
2. The applicant currently expends \$500,000 or more in combined state funds during the fiscal year; and, therefore, is required to submit an annual Single Audit by an independent auditor made in accordance with the Uniform Grant Management Standards (UGMS).
3. The applicant currently expends less than \$500,000 in either federal or state funds during the fiscal year; and therefore is exempt from the Single Audit Act and cannot charge audit costs to an SAPCS grant. Applicant agrees that the OAG may require a limited scope audit as defined in OMB Circular A-133.

If this application is for funds in excess of \$25,000, the Applicant certifies the following:
By submission of this proposal, that neither the applicant agency nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or state agency.

If the Applicant is unable to certify the above statements, the Applicant has attached an explanation to this application.

COMPLIANCE WITH ANNUAL INDEPENDENT FINANCIAL AUDIT FILING REQUIREMENT

The Applicant assures that it will file an Annual Independent Financial Audit of the complete program and/or organization and management letter of the audit findings within nine months of the end of the fiscal year of the agency. An annual independent financial audit is a requirement for this OAG grant. The audit will meet Office of Management and Budget (OMB) Circular A-133 and Uniform Grant Management Standards (UGMS) requirements. Additionally, the annual independent financial audit will meet GAGAS standards in the event a Single Audit is not required.

COMPLIANCE WITH UGMS AND THE APPLICABLE OMB CIRCULARS

The Applicant assures that it will follow the guidelines in the Uniform Grant Management Standards (UGMS). Both governmental entities as well as non-profit entities are required to follow UGMS guidelines.

The Applicant assures compliance with all Federal/state statutes, regulations, policies, guidelines and requirements, including, but not limited to, UGMS as well as OMB Circulars No. A-21, A-110, A-122, A-128, A-87; E.O. 123 72.

RETURN OF GRANT FUNDS IN THE EVENT OF LOSS OR MISUSE

The Applicant agrees that in the event of loss or misuse of the SAPCS funds, the Applicant assures that the funds will be returned to the OAG in full.

CONFLICT OF INTEREST

The Applicant assures that there is no conflict of interest that would preclude it from filing the Application or providing the services under this grant. By submitting this Application, Applicant affirms that it has neither given, nor intends to give, at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, at any time during the procurement process or in connection with this grant application, except as allowed under relevant state and federal law. The Applicant further agrees that it will establish safeguards to prohibit its employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain. The Applicant shall operate with complete independence and objectivity without actual, potential, or apparent conflict of interest with respect to the activities conducted under this grant.

Without diminishing the provisions of the prior paragraph, the Applicant assures that as a grantee, grantee personnel, members of a grantee board or governing body, or other persons affiliated with the grant project shall not participate in any proceeding or action where grant funds personally benefit, directly or indirectly, the individuals or their relatives. For the purposes of this provision, "relatives" means persons related to the individual within the third degree by consanguinity or within the second degree by affinity, as determined by Chapter 573 of the Government Code. Grant personnel and officials must avoid any action that results in or creates the appearance of using their official positions for private gain; giving preferential treatment to any person; losing independent judgment or impartiality; making an official decision outside of official channels; or adversely affecting the confidence of the public in the integrity of the program or the OAG.

APPLICABLE CERTIFICATIONS AND ASSURANCES DUE TO FEDERAL FUNDS

The SAPCS – Federal grant program is conducted in accordance with Federal grant programs funded under CFDA (Catalog of Federal Domestic Assistance) 93.13, as regulated under 42 CFR part 52; 45 CFR Part 74 and Part 92, and PHS Grants Policy Statement, DHHS Publication No (OASH) 94-50,000, (Rev.) April 1, 1994 as well as CFDA (Catalog of Federal Domestic Assistance) 93.991, as regulated under 45 CFR part 96.

The Applicant agrees to comply with all relevant federal legislation, regulations, provisions, rules, policies and other terms and conditions under these federal grant programs, including but not limited to, the following provisions:

1. Publications, journal articles, etc., produced under a CDC grant support project must bear an acknowledgement and disclaimer, as appropriate, such as: "This publication (journal article, etc.) was supported by Grant Number 2007-B1-TX-PRVS-02 and/or Grant Number VF1/CEOO1126-01 from the CDC. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of CDC."
2. To the greatest extent possible, all equipment and products purchases with CDC funds should be American-made.
3. When issuing statements, press releases, request for proposals, bid solicitations and other documents describing projects or program funded in whole or in part with federal money, all awardees receiving federal funds, including and not limited to, state and local governments, shall clearly state (1) the percentage of the total costs of the program or

project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

4. Public Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities that receive federal funds in which education, library day care, health care or early childhood development services are provided to children.
5. Federal funds may be used to advocate or promote gun control.
6. Federal funds may not be used for direct or indirect communications intended or designed to influence a member of Congress with regard to specific federal legislation, including the funding and assistance of public grassroots campaigns intended or designed to influence members of Congress with regard to specific legislation or appropriation by Congress or expenditures on political action or other activities designed to affect the passage of specific federal, state, or local legislation intended to restrict or control the purchase or use of firearms.
7. Federal funds may not be used for research.
8. Federal funds must be used to supplement and not supplant Preventive Health and Health Services Block grant, or any other federal, state, and local public funds.
9. Federal funds may not be used to provide direct counseling, treatment, or advocacy services to victims or perpetrators of sexual violence.
10. Federal funds may not be used for media or awareness campaigns that exclusively promote awareness of where to receive victim services.
11. Federal funds cannot be used for construction or renovation.
12. Federal funds cannot be used for the lease of passenger vehicles.
13. Federal funds cannot be used for the development of major software applications.

AUTHORITY TO FILE APPLICATION

The Applicant has the authority or will receive the appropriate authority by the Applicant's governing body to file the Application, including the authority to agree to the assurances and certifications contained herein.

Required Attachments

Attachment A is the “STATEMENTS SUPPORTING SUBMISSION OF THE APPLICATION TO OAG CRIME VICTIM SERVICES DIVISION”

- **It must be signed and submitted at the time the Application is submitted to the OAG.**
- **Applications that are received by the OAG without this Attachment will not be considered or funded by the OAG.**

Attachment B is the “RESOLUTION OF GOVERNING BODY”

- It must be signed and submitted at the time the Application is submitted to the OAG, unless the timing of the Application due date and requirements of the Open Meeting Act or other requirements prevents the governing body from reviewing and approving the Resolution, then it may be submitted to the OAG at a later date.

Budget (Excel Document) is required. If a contract is awarded, more detailed budget information will be requested.

- **Must be submitted at the time the Application is submitted to the OAG.**
- **Applications that are received by the OAG without this Attachment will not be considered or funded by the OAG.**

Supporting Documents where indicated in the Application (Word document).

- Supporting Documents must be attached and submitted with the Application. Missing documentation may impact the Applicant’s score.
- The Applicant must mark each page of the documentation with the name of the Applicant.

Job Descriptions are required for each position requested in the proposed budget.

- Job descriptions must be attached and submitted with the Application. Missing job descriptions may impact the Applicant’s score.
- The Applicant should mark each page of the submitted job descriptions with the name of the Applicant.

Excel Workbook (for Applicants that do not have a current OVAG/VCLG/SAPCS-State or SAPCS-Federal grant contract).

- **Must be submitted at the time the Application is submitted to the OAG.**
- **Applications that are received by the OAG without this Attachment will not be considered or funded by the OAG.**

ATTACHMENT A — REQUIRED

**REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M. CST, JANUARY 15, 2008,
OR THE APPLICATION WILL NOT BE CONSIDERED.**

STATEMENTS SUPPORTING SUBMISSION OF THE APPLICATION TO OAG CRIME VICTIM SERVICES DIVISION

INSTRUCTIONS: Initial each numbered line and submit this signed required Attachment with the Application.

LEGAL NAME OF APPLICANT: _____

1. _____ **THIS APPLICATION IS FOR** a SAPCS–Federal Technical Assistance Grant.
2. _____ **TRUE AND CORRECT INFORMATION.** The undersigned certifies that the information contained in this Application, including any attachments are true and correct to the best of his or her knowledge.
3. _____ **OAG CERTIFICATIONS AND ASSURANCES.** The undersigned has read and understands the Certifications and Assurances, contained in the Application Kit.
4. _____ **DEADLINES AND SUBMISSION OF APPLICATION.** The undersigned understands that the deadline for submission is 5:00 p.m. CST January 15, 2008 and that to meet the deadline, the Applicant must submit hard copies as required in the Application Kit. The undersigned further acknowledges that:
 - It is the Applicant’s responsibility to submit the Application to the OAG in the specified manner and by the specified date and time
 - Applications submitted in other formats will not be accepted
 - The OAG accepts no responsibility for delays in shipping
 - Late Applications will not be considered under any circumstance
 - Proof of sending a document by email or other means is not proof that the OAG received the information
5. _____ **JOB DESCRIPTIONS FOR EACH REQUESTED POSITION.** The undersigned understands that the most recent job description for each position requested in the proposed budget should be attached and submitted with the Application. Missing job descriptions may impact the Applicant’s score.
6. _____ **RESOLUTION OF GOVERNING BODY.** The undersigned states it is either submitting the Resolution of Applicant’s governing body with this Application or will submit one at a later date as established by the OAG. If the timing of the Application due date and requirements of the Open Meetings Act or other requirements prevents the governing body from reviewing and approving the Resolution, then it may be submitted to the OAG at a later date.

Signature/Title

Printed Name

Date

ATTACHMENT B —REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M. CST, JANUARY 15, 2008.

IF THE TIMING OF THE APPLICATION DUE DATE AND REQUIREMENTS OF THE OPEN MEETINGS ACT OR OTHER REQUIREMENTS PREVENTS THE GOVERNING BODY FROM REVIEWING AND APPROVING THE RESOLUTION, THEN IT MAY BE SUBMITTED TO THE OAG LATER THAN 5:00 P.M. CST, JANUARY 15, 2008.

(SAMPLE FORM OF RESOLUTION OF GOVERNING BODY)

RESOLUTION OF GOVERNING BODY

LEGAL NAME OF APPLICANT: _____

Be it known as follows:

WHEREAS, the _____, [Name of Applicant] has applied or wishes to apply to the Office of the Attorney General, (OAG) Crime Victim Services Division for a SAPCS–Federal Technical Assistance Grant;

WHEREAS, the _____, [Name of Governing Body of Applicant, such as City Council, County Commissioners' Court or Board of Directors], has considered and supports the Application filed or to be filed with the OAG;

WHEREAS, the _____, [Name of Applicant] has designated or wishes to designate the following individual as the “Authorized Official” who is given or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the OAG, Crime Victim Services Division as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee:

Name of Person Designated as “Authorized Official”: _____

Position Title: _____

NOW THEREFORE, BE IT RESOLVED that this governing body approves the submission of the Application to the OAG, Crime Victim Services Division as well as the designation of the Authorized Official.

Signature

Printed Name

Date