

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
23-1147 A1

SAP Number

District Attorney

Department Contract Representative	Claudia Walker
Telephone Number	(909) 382-7689
Contractor	California Office of Emergency Services
Contractor Representative	Rachel Magana, Program Specialist
Telephone Number	(916) 845-8451
Contract Term	10/01/2023 – 09/30/2024
Original Contract Amount	\$3,246,391
Amendment Amount	\$0
Total Contract Amount	\$3,246,391
Cost Center	4502001000-3000075

Briefly describe the general nature of the contract:

This grant award amendment will allow the District Attorney to comply with the new requirements from Cal OES.

FOR COUNTY USE ONLY
Approved as to Legal Form

Richard Luczak, Deputy County Counsel

Date 1/31/2024

Reviewed for Contract Compliance

Date

Reviewed/Approved by Department

Jason Anderson, District Attorney

Date 2/1/24



Grant Subaward Modification

Email to: designated Program Specialist for this Grant Subaward

1. Grant Subaward Number: VW23 42 0360
 2. Modification Number: 2
 3. Grant Subaward Performance Period: 10/01/2023 to 09/30/2024

4. Subrecipient/Implementing Agency: San Bernardino County
 5. Payment Mailing Address: 303 W Third Street, 6th Floor, San Bernardino, CA 92415-0502 Check If New

6. Revision to Budget

Fiscal Year	Fund Source (Select from drop down list)	Grant Funds	Grant Funds	Grant Funds	Grant Funds	Required Match	Required Match	Required Match	Required Match	Total Amount
		A. Personnel Costs	B. Operating Costs	C. Equipment Costs	Fund Total	A. Personnel Costs	B. Operating Costs	C. Equipment Costs	Match Total	
Current Allocation (from your last approved budget)										
2022	VOCA	\$1,461,270			\$1,461,270	\$360,318	\$5,000		\$365,318	\$1,826,588
2023	VOCA	\$1,461,268			\$1,461,268	\$356,817	\$8,500		\$365,317	\$1,826,585
2023	VWA0	\$323,853			\$323,853				\$0	\$323,853
Yr	Fund				\$0				\$0	\$0
Yr	Fund				\$0				\$0	\$0
Proposed Change (add (+) or subtract (-) from budgeted amount)										
2022	VOCA				\$0				\$0	\$0
2023	VOCA				\$0				\$0	\$0
2023	VWA0	NO BUDGET CHANGES				\$0			\$0	\$0
Yr	Fund				\$0				\$0	\$0
Yr	Fund				\$0				\$0	\$0
Revised Allocation										
2022	VOCA	\$1,461,270	\$0	\$0	\$1,461,270	\$360,318	\$5,000	\$0	\$365,318	\$1,826,588
2023	VOCA	\$1,461,268	\$0	\$0	\$1,461,268	\$356,817	\$8,500	\$0	\$365,317	\$1,826,585
2023	VWA0	\$323,853	\$0	\$0	\$323,853	\$0	\$0	\$0	\$0	\$323,853
Yr	Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Yr	Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

7. Justification for Modification: (If additional space is needed please continue the justification on the Justification Tab.)
 Requesting budget modification to submit revised Federal Fund Grant Subaward Assurances.

8. Subrecipient Approvals

Florida Alarcon		1/31/24
Grant Subaward Director (typed name)	Grant Subaward Director Signature	Date
Claudia Walker		1-31-24
Financial Officer (typed name)	Financial Officer Signature	Date

Cal OES USE ONLY

	2.22.24		2/22/2024
Program Specialist Signature	Date	Unit Chief Signature	Date
	02/23/2024	ML: 237706 rm received 1.31.24	
Grants Processing Signature MS	Date		



Grant Subaward Budget Pages
Multiple Fund Sources

Subrecipient: San Bernardino County			Grant Subaward #: VW23 42 0360			
A. Personnel Costs - Line-item description and calculation	22 VOCA	22 VOCA MATCH	23 VOCA	23 VOCA MATCH	23 VWAO	Total Amount Allocated
All program salary and benefit rates are per the employee's current Memorandum of Understanding with the County of San Bernardino						
1 FTE Assistant Victim Services Chief @ 100% to facilitate programs for victims and supervise the unit \$42.85 x 2080 hours x 1 FTE (Not Claiming Full Amount)	\$32,744	\$8,186	\$32,744	\$8,186	\$7,257	\$89,117
2 FTE Supervising Victim Advocates @ 100% to supervise staff and provide direct assistance to victims \$41.58 x 2080 hours x 2 FTE (Not Claiming Full Amount)	\$63,555	\$15,889	\$63,555	\$15,889	\$14,085	\$172,973
22 FTE Victim Advocate 1's @ 100% Provide direct services to victims with obtaining court support, applying for financial assistance, etc \$24.63 x 2080 hours x 22 FTE (Not Claiming Full Amount)	\$413,981	\$103,495	\$413,980	\$103,495	\$91,748	\$1,126,699
21 FTE Victim Advocate II's @ 100% Provide direct services to victims with obtaining court support, applying for financial assistance, etc. MVA position will provide assistance to victims of mass victimization and terrorism incidents \$33.31 x 2080 hours x 20 FTE	\$509,071	\$127,268	\$509,071	\$127,268	\$112,823	\$1,385,501
MVA-\$31.54 x 2080 hours x 1 FTE (Not Claiming Full Amount)	\$24,101	\$6,025	\$24,101	\$6,025	\$5,341	\$65,593
3 FTE Office Assistant III's @ 100% Provide direct services to victims by assisting with intake, calling victims, escorting to court, entering stats and issuing notification letters \$22.31 x 2080 hours x 3 FTE (Not Claiming Full Amount)	\$51,147	\$12,787	\$51,147	\$12,787	\$11,335	\$139,203



Grant Subaward Budget Pages
Multiple Fund Sources

Subrecipient: San Bernardino County			Grant Subaward #: VW23 42 0360			
A. Personnel Costs - Line-item description and calculation	22 VOCA	22 VOCA MATCH	23 VOCA	23 VOCA MATCH	23 VWAO	Total Amount Allocated
<p style="text-align: center;">Benefits</p> <p>BENEFITS FOR 49 FULL TIME EMPLOYEES FOR 1 YEAR = 50.58% of gross salary Total Salaries of 2,913,492 x 50.58% = Total Benefits = \$1,473,644 (Not Claiming Full Amount)</p> <p>MVA - Benefits (\$65,593 x 50.58%) = \$33,177 (Not Claiming Full Amount)</p> <p>Includes: Retirement = 28.75% of gross salary Survivors Benefits = 0.14% of gross salary Health Ins = 16.67% of gross salary Vision Ins = 0.11% of gross salary Dental Ins = 0.37% of gross salary Short Term Disability = 1.23% of gross salary Medicare Tax = 1.39% of gross salary Workers Comp Ins = 0.60% of gross salary Employee Life Ins = 0.72% of gross salary Indem Allow Cafeteria = 0.20% of gross salary 401(k) match = 0.40% of gross salary</p>	\$354,481	\$83,620	\$354,480	\$80,119	\$78,563	\$951,263
	\$12,190	\$3,048	\$12,190	\$3,048	\$2,701	\$33,177
Personnel Costs Fund Source Totals	\$1,461,270	\$360,318	\$1,461,268	\$356,817	\$323,853	\$3,963,526
PERSONNEL COSTS CATEGORY TOTAL						\$3,963,526



Grant Subaward Budget Pages
Multiple Fund Sources

Subrecipient: San Bernardino County			Grant Subaward #: VW23 42 0360			
B. Operating Costs - Line-item description and calculation	22 VOCA	22 VOCA MATCH	23 VOCA	23 VOCA MATCH	23 VWAO	Total Amount Allocated
Courthouse K9 Expenses \$250 per month x 6 months x 2 dogs - includes supplies, vet bills, food, grooming, pet insurance = \$3000 (Not claiming full amount)		\$1,500				\$1,500
NOVA Conference (See Out of State Travel Request) 1 MVA Advocate x \$2,245				\$2,245		\$2,245
9 Advocates x \$2,245 = \$20,205 (Not claiming full amount)				\$5,255		\$5,255
Vehicle Maintenance 4 vehicles x \$83.33 per month x 6 months = \$2000 (Not claiming full amount)		\$1,000				\$1,000
Emergency Fund Prepaid cards \$25 x 40 cards				\$1,000		\$1,000
Indirect Costs \$3,974,526 direct costs x 10% = \$397,452.60 (Not claiming full amount)		\$2,500				\$2,500
Operating Costs Fund Source Totals		\$5,000		\$8,500		\$13,500
OPERATING COSTS CATEGORY TOTAL						\$13,500



**Federal Fund Grant Subaward Assurances
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program**

Subrecipient: San Bernardino County

	Cal OES Program Name	Grant Subaward #	Grant Subaward Performance Period
1.	Victim Services XC Program	XC23 04 0360	1/1/2024 - 12/31/2024
2.	Victim Witness Assistance Program	VW23 42 0360	10/1/2023 - 09/30/2024
3.			
4.			
5.			
6.			

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

1. Required Audits and Financial Statements (SRH Section 14.005)

Subrecipients expending \$750,000 or more in federal funds annually must comply with the single audit requirement established by the Federal Office of Management and Budget (OMB) Uniform Guidance 2 C.F.R. Part 200, Subpart F and arrange for a single audit by an independent Certified Public Accountant (CPA) firm annually. Audits conducted under this section will be performed using the guidelines established by the American Institute of Certified Public Accountants (AICPA) for such audits.

Subrecipient expends \$750,000 or more in federal funds annually.

Subrecipient does not expend \$750,000 or more in federal funds annually.

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

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

and-controlled-equipment (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

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

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

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

4. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this Grant Subaward.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2023 Grant Subaward supplements funds previously awarded by OJP under the same Grant Subaward number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial Grant Subaward or a supplemental Grant Subaward) that are obligated on or after the acceptance date of this FY 2023 award.

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

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

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

5. Requirement to Report Actual or Imminent Breach of Personally Identifiable Information

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

- Create, collect, use, process, store, maintain, disseminate, disclose, or dispose of "Personally Identifiable Information (PII)" (2 C.F.R. 200.1) within the scope of an OJP grant-funded program or activity, or
- Use or operate a "Federal information system" (OMB Circular A-130). Subrecipients (and any Second-Tier Subrecipients) must have breach procedures that must include a requirement to report actual or imminent breach of PII to Cal OES no later than 18 hours after an occurrence of an actual breach, or the detection of an imminent breach.

6. OJP Training Guiding Principles

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

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

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

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

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-in/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

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

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

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

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "educational programs."

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

Subrecipients (and any Second-Tier Subrecipients) must comply with, and are subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

Subrecipients (and any Second-Tier Subrecipients) also must inform their employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this Grant Subaward, the Subrecipient is to contact the Cal OES for guidance.

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

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of

federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this Grant Subaward appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

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

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

13. Determination of Suitability to Interact with Participating Minors

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

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

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

14. Compliance with DOJ Grants Financial Guide

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

15. Encouragement of Policies to Ban Text Messaging while Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the DOJ encourages

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

16. Potential Imposition of Additional Requirements

Subrecipients (and any Second-Tier Subrecipients) agree to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this Grant Subaward, if Subrecipients are designated as "high-risk" for purposes of the DOJ high-risk grantee list.

17. Employment Eligibility Verification for Hiring under the Grant Subaward

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

- 1) Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with Grant Subaward funds, Subrecipients (and any Second-Tier Subrecipients) properly verify the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).
- 2) Notify all persons associated with Subrecipients (or any Second-Tier Subrecipients) who are or will be involved in activities under this Grant Subaward of both:
 - a) This Grant Subaward requirement for verification of employment eligibility, and
 - b) The associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.
- 3) Provide training (to the extent necessary) to those persons required by this condition to be notified of the Grant Subaward requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).
- 4) As part of the recordkeeping for the Grant Subaward (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this Grant Subaward condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

b. Monitoring

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

c. Allowable costs

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

d. Rules of construction

1) Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this Grant Subaward" specifically includes (without limitation) any and all Subrecipient officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with Grant Subaward funds.

2) Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, Subrecipients (and any Second-Tier Subrecipients) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the Subrecipient (and any Second-Tier Subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with Grant Subaward funds.

3) "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

4) Nothing in this condition shall be understood to authorize or require Subrecipients (and any Second-Tier Subrecipients), or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

- 5) Nothing in this condition, including in paragraph D.2, shall be understood to relieve Subrecipients (and any Second-Tier Subrecipients) or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

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

18. Restrictions and Certifications Regarding Non-disclosure Agreements and Related Matters

No Subrecipients (and any Second-Tier Subrecipients) under this Grant Subaward, or entity that receives a procurement contract or subcontract with any funds under this Grant Subaward, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

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

- a. In accepting this Grant Subaward, Subrecipients (and any Second-Tier Subrecipients):
 - 1) Represent that they neither require, nor have required, internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - 2) Certify that, if they learn, or are notified, that they have, or have been, requiring their employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, they will immediately stop any further obligations of Grant Subaward funds, will provide prompt written notification to Cal OES, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by Cal OES.
- b. If Subrecipients are authorized under this award to make Second-Tier Subawards, procurement contracts, or both:

- 1) Subrecipients represent that:
 - a) No other entity (whether through a Second-Tier Subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) that they pass funds to either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - b) Appropriate inquiry has been made, or otherwise Subrecipients have an adequate factual basis, to support this representation; and
- 2) If learned or notified that any Second-Tier Subrecipient, contractor, or subcontractor entity that receives funds under this Grant Subaward is, or has been, requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, they will immediately stop any further obligations of Grant Subaward funds to or by that entity, will provide prompt written notification to Cal OES, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by Cal OES.

19. All Grant Subawards Must Have Specific Federal Authorization

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

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

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

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

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

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

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

21. Restrictions on "Lobbying"

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

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

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

22. Specific Post-award Approval Required to Use a Noncompetitive Approach in any Procurement Contract that would Exceed \$250,000

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

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

23. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP Authority to Terminate Grant Subaward)

Subrecipients (and any Second-Tier Subrecipients) must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Subrecipients (and any Second-Tier Subrecipients), or individuals defined (for purposes of this condition) as "employees" of Subrecipients (and any Second-Tier Subrecipients).

The details of the Subrecipients' obligations related to prohibited conduct related to trafficking in persons are posted on the OJP website at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

24. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

Subrecipients (and any Second-Tier Subrecipients) must promptly refer to Cal OES any credible evidence that a principal, employee, agent, Subrecipient, contractor, subcontractor, or other person has, in connection with funds under this Grant Subaward-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this Grant Subaward should also be reported to Cal OES. Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

25. Discrimination Findings

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

26. Limited English Proficiency and Compliance with Title VI and the Safe Streets Act

Subrecipients (and any Second-Tier Subrecipients) must ensure that Limited English Proficiency persons have meaningful access to the services under this Grant Subaward. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, Subrecipients (and any Second-Tier Subrecipients) are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.

27. VOCA Requirements

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

28. Federal Funding Accounting and Transparency Act (FFATA)

Yes No

Has the Subrecipient received \$25,000,000 or more in federal funds in the preceding fiscal year?

If the answer is yes, does the amount of federal funds received equal 80% or more of the Subrecipient's annual gross revenue?

If the answer is yes to the above two questions, did the Subrecipient report to the U.S. Security and Exchange Commission?

For additional information reference: Award Condition: Reporting Subawards and Executive Compensation (Updated as of September 2016) | Office of Justice Programs (ojp.gov).

CERTIFICATION

I certify the Subrecipient identified above will comply with the requirements of the Subrecipient Handbook and the federal fund Grant Subaward assurances outlined above.

Official Designee's Signature: 

Official Designee's Typed Name: Jason Anderson

Official Designee's Title: District Attorney

Date Executed: 2/8/24