



## REQUEST FOR APPLICATION

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The California Governor's Office of Emergency Services (Cal OES) is soliciting applications for the following program:

### **PANDEMIC UNEMPLOYMENT ASSISTANCE AND UNEMPLOYMENT INSURANCE ANTI-FRAUD GRANT (PG) PROGRAM**

Release Date: June 9, 2023

This Request for Application (RFA) provides detailed information and forms necessary to prepare an application for Cal OES grant funds.

### **PROGRAM SYNOPSIS**

#### **Description:**

The purpose of the PG Program is to provide funding to district attorneys for the investigation and prosecution of Pandemic Unemployment Assistance (PUA) and Unemployment Insurance (UI) fraud crimes, which spiked during the COVID-19 pandemic emergencies. District attorneys are encouraged to work with county and/or municipal law enforcement agencies on investigatory work related to PUA/UI fraud crimes, and then successfully prosecute these cases. PUA/UI fraud crimes are violations of Cal. Unemp. Ins. Code §§ 2101 and 2114; Cal. Penal Code §§ 487, 496, and 530.5; or any fraud offenses relating to COVID-19 pandemic-related insurance programs administered by the California Employment Development Department (EDD), or the U.S. Department of Labor.

#### **Eligibility:**

The following district attorney's offices are eligible to apply: Alameda, Butte, El Dorado, Fresno, Imperial, Kern, Lake, Merced, Monterey, Orange, Placer, Riverside, Sacramento, San Diego, San Joaquin, San Mateo, Santa Barbara, and Ventura.

#### **Grant Subaward Performance Period:**

July 1, 2023 – March 31, 2025

#### **Available Funding:**

Individual Applicants may request up to the amounts on the funding chart found in Part 1, F. Funding.

#### **Submission Deadline:**

July 14, 2023



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**PART I – OVERVIEW**

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- A. PUBLIC RECORDS ACT NOTICE
  - B. CONTACT INFORMATION
  - C. SUBMISSION DEADLINE AND REQUIREMENTS
  - D. ELIGIBILITY
  - E. GRANT SUBAWARD PERFORMANCE PERIOD
  - F. FUNDING INFORMATION
  - G. PROGRAMMATIC INFORMATION
- 

A. PUBLIC RECORDS ACT NOTICE

Proposals are subject to the Public Records Act, Government Code Section 7920.000, *et seq.* Do not put any personally identifiable information or private information on this proposal. If you believe that any of the information you are putting on this proposal is exempt from the Public Records Act, please indicate what portions of the proposal and the basis for the exemption. Your statement that the information is not subject to the Public Records Act will not guarantee that the information will not be disclosed.

B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues must be submitted in writing by email to [PUA\\_UIAntiFraudProgram@caloes.ca.gov](mailto:PUA_UIAntiFraudProgram@caloes.ca.gov).

C. SUBMISSION DEADLINE AND REQUIREMENTS

Applications must be emailed to [PUA\\_UIAntiFraudProgram@caloes.ca.gov](mailto:PUA_UIAntiFraudProgram@caloes.ca.gov) **by 5:00 pm, PST, on Friday, July 14, 2023.**

D. ELIGIBILITY

The following district attorney's offices are eligible to apply: Alameda, Butte, El Dorado, Fresno, Imperial, Kern, Lake, Merced, Monterey, Orange, Placer, Riverside, Sacramento, San Diego, San Joaquin, San Mateo, Santa Barbara, and Ventura.

E. GRANT SUBAWARD PERFORMANCE PERIOD

The Grant Subaward performance period is July 1, 2023 – March 31, 2025.

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F. FUNDING INFORMATION

There is \$4,000,000 available for the Program for the Grant Subaward performance period.

1. Funding Amount

Individual allocations are as follows:

Subrecipient	Allocation
Alameda County District Attorney	\$570,411
Butte County District Attorney	\$49,904
El Dorado County District Attorney	\$247,677
Fresno County District Attorney	\$44,490
Imperial County District Attorney	\$24,594
Kern County District Attorney	\$258,456
Lake County District Attorney	\$81,447
Merced County District Attorney	\$28,668
Monterey County District Attorney	\$47,120
Orange County District Attorney	\$124,256
Placer County District Attorney	\$83,893
Riverside County District Attorney	\$442,977
Sacramento County District Attorney	\$1,545,717
San Diego County District Attorney	\$22,457
San Joaquin County District Attorney	\$100,506
San Mateo County District Attorney	\$71,307
Santa Barbara County District Attorney	\$194,625
Ventura County District Attorney	\$61,495

Subrecipients may request an advance of up to 25 percent of their awarded funds by completing the Advance of Grant Subaward Funds Request (Cal OES Form 2-202). An advance can only be received in the

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beginning of the performance period.

2. Funding Source(s)

The PG Program is supported through the State General Fund. Cal OES's four-character code for this grant fund is PAND. This code will be in the drop-down on the Grant Subaward Face Sheet (Cal OES form 2-101).

There is no match required for the PG Program.

G. PROGRAMMATIC INFORMATION

1. Background Information/Program Description

The purpose of the PG Program is to provide funding to district attorneys for the investigation and prosecution of PUA/UI fraud crimes, which spiked during the COVID-19 pandemic emergencies. District attorneys are encouraged to work with county and/or municipal law enforcement agencies on investigatory work related to PUA/UI fraud crimes, and then successfully prosecute these cases. PUA/UI fraud crimes are violations of Cal. Unemp. Ins. Code §§ 2101 and 2114; Cal. Penal Code §§ 487, 496, and 530.5; or any fraud offenses relating to COVID-19 pandemic-related insurance programs administered by EDD, or the U.S. Department of Labor.

In 2020, the California State Budget allocated \$5 million to Cal OES to provide funding assistance to law enforcement agencies and district attorneys to help cover pandemic-era fraud investigation and prosecution costs. Cal OES, in collaboration with EDD, established a process using existing fraud task forces to disburse funds to these entities.

In 2022, the California State Budget allocated an additional \$5 million – this time to EDD – to further these efforts. However, to continue to ensure efficient and equitable distribution of funding across the state, EDD has contracted with Cal OES to administer this new funding.

2. Programmatic Components

a. Conducting Investigations

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Subrecipients must conduct their investigation with a reasonable belief that it could lead to the filing of administrative, civil, or criminal proceedings, or that relevant criminal activity is ongoing and for which there is reasonable anticipation of securing an arrest or prosecution in the foreseeable future for violations of Cal. Unempl. Ins. Code §§ 2101 and 2114; Cal. Penal Code §§ 487, 496, and 530.5; or any “fraud offenses relating to COVID-19 pandemic-related insurance programs: administered by EDD, or the U.S. Department of Labor. See Cal. Penal Code § 186.2(a)(34)(B).

b. Allowable Activities

This funding is meant to support activities related to the investigation and/or prosecution of COVID-19 pandemic-era fraud cases. Funds may be used for the following activities:

- Hiring of and/or contracting with investigators and support staff to assist in investigations of PUA/UI fraud crimes.
- Purchase or lease of hardware, software, or services in support of PUA/UI fraud crimes.
- Regular time for existing county or city attorneys, paralegals, investigators, law enforcement officers, and support staff related to the investigation and preparation of cases and prosecution of PUA/UI fraud cases.
- Costs associated with use of existing county equipment in support of investigations, evaluations, or prosecutions of PUA/UI fraud cases.
- Overhead costs associated with existing personnel and equipment costs dedicated to PUA/UI fraud cases in accordance with the guidance provided herein.

c. Unallowable Activities

Funds may not be used for the following activities:

- Costs that are being claimed separately for reimbursement under Cal. Pen. Code §4750 or any other state statute or regulation authorizing reimbursement for such expenses.

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- Costs that have been or will be paid by another state agency or federal grant, cost sharing agreement, or other benefit.
- Costs that are not related to PUA/UI fraud crimes.

NOTE: This list is illustrative and not exhaustive.

d. Second-Tier Subawards with County and/or Municipal Law Enforcement Agencies

Subrecipients may subgrant funds to county and/or municipal law enforcement agencies to provide investigatory work related to PUA/UI fraud crimes.

The number of county and/or municipal law enforcement agencies selected should be informed of the regional picture of COVID-19 pandemic-era fraud cases to reach the objective of prosecuting these cases statewide.

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

3. Reporting Requirements

Progress Reports serve as a record for the implementation of the Grant Subaward. Statistics for Progress Reports must be collected monthly, even if there is no new information to report. Information collected will include, but is not limited to:

- Number of new cases;
- Number of active cases;
- Number of arrests;
- Administrative and judicial outcomes; and
- Assets seized.

There are 21 monthly Progress Reports required for the Program. See the chart below for the report periods and due dates.

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Report	Report Period	Due Date
1 <sup>st</sup> Report	July 1, 2023 – July 31, 2023	August 31, 2023
2 <sup>nd</sup> Report	August 1, 2023 – August 31, 2023	September 30, 2023
3 <sup>rd</sup> Report	September 1, 2023 – September 30, 2023	October 31, 2023
4 <sup>th</sup> Report	October 1, 2023 – October 31, 2023	November 30, 2023
5 <sup>th</sup> Report	November 1, 2023 – November 30, 2023	December 31, 2023
6 <sup>th</sup> Report	December 1, 2023 – December 31, 2023	January 30, 2024
7 <sup>th</sup> Report	January 1, 2024 – January 31, 2024	February 28, 2024
8 <sup>th</sup> Report	February 1, 2024 – February 28, 2024	March 31, 2024
9 <sup>th</sup> Report	March 1, 2024 – March 31, 2024	April 30, 2024
10 <sup>th</sup> Report	April 1, 2024 – April 30, 2024	May 31, 2024
11 <sup>th</sup> Report	May 1, 2024 – May 31, 2024	June 30, 2024
12 <sup>th</sup> Report	June 1, 2024 – June 30, 2024	July 31, 2024
13 <sup>th</sup> Report	July 1, 2024 – July 31, 2024	August 31, 2024
14 <sup>th</sup> Report	August 1, 2024 – August 31, 2024	September 30, 2024
15 <sup>th</sup> Report	September 1, 2024 – September 30, 2024	October 31, 2024
16 <sup>th</sup> Report	October 1, 2024 – October 31, 2024	November 30, 2024
17 <sup>th</sup> Report	November 1, 2024 – November 30, 2024	December 31, 2024
18 <sup>th</sup> Report	December 1, 2024 – December 31, 2024	January 30, 2025
19 <sup>th</sup> Report	January 1, 2025 – January 31, 2025	February 28, 2025
20 <sup>th</sup> Report	February 1, 2025 – February 28, 2025	March 31, 2025
Final Report	March 1, 2025 – March 31, 2025	April 30, 2025



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**PART II – RFA INSTRUCTIONS**

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- A. SUBRECIPIENT HANDBOOK
  - B. APPLICATION FORMS
  - C. ADDITIONAL DOCUMENTS
  - D. BUDGET POLICIES
  - E. ADMINISTRATIVE REQUIREMENTS
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A. SUBRECIPIENT HANDBOOK

Applicants are strongly encouraged to review the [SRH](#). The SRH outlines the terms and conditions that apply to Cal OES VS Branch Grant Subawards and provides helpful information for developing a proposal, including a Glossary of Terms.

B. APPLICATION FORMS

Applicants must use the forms provided on our website. The forms must be printed on plain white 8½" x 11" paper and single sided. **Applicants may not alter the formatting of any forms, including the Grant Subaward Programmatic Narrative ([Cal OES Form 2-108](#)) and the Grant Subaward Budget Narrative ([Cal OES Form 2-107](#)).**

Applicants must complete and submit all required forms. Required forms for this Program are identified on the Checklist in Part III. All forms have written instructions. If a form requires a Grant Subaward number, leave this information blank. General information regarding each form is below.

1. Grant Subaward Face Sheet (Cal OES Form 2-101)

This form is the title page of the Grant Subaward that is signed by the Official Designee (*SRH Section 3.030*) and the Cal OES Director (or designee).

2. Grant Subaward Contact Information (Cal OES Form 2-102)

This form provides Cal OES with contact information for all relevant Subrecipient personnel. Information for each individual should be direct contact information.

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3. Grant Subaward Signature Authorization (Cal OES Form 2-103)

This form provides Cal OES with signatures of authorized signers and who they authorize to sign on their behalf for all Grant Subaward-related matters.

4. Grant Subaward Certification of Assurance of Compliance (Cal OES Form 2-104)

This form is a binding affirmation that the Subrecipient will comply with the following regulations and restrictions:

- State civil rights laws
- Drug Free Workplace
- California Environmental Quality Act
- Lobbying restrictions
- Debarment and Suspension requirements
- Proof of Authority documentation from the city council/governing board

5. Grant Subaward Budget Pages (Cal OES Form 2-106a)

These forms demonstrate how the Applicant will implement the proposed plan with the funds available through this Program. This is the basis for management, fiscal review, and audit. **Grant Subaward Budget Pages (Cal OES Form 2-106a) are subject to Cal OES modifications and approval.** Failure of the Applicant to include required items does not eliminate responsibility to comply with those requirements during the implementation of the Grant Subaward.

The Grant Subaward Budget Pages (Cal OES Form 2-106a) automatically calculate the subtotal at the end of each budget category and provide the total of the three spreadsheets at the bottom of the Equipment Costs page. Applicants may add additional columns to the Grant Subaward Budget Pages (Cal OES Form 2-106a) when necessary.

Cal OES requires the Applicant to develop a line-item budget that includes a **calculation and justification in the left column for all costs.**

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The Grant Subaward Budget Pages (Cal OES Form 2-106a) must:

- Cover the entire Grant Subaward performance period.
- Include costs related to the objectives and activities of the Grant Subaward.
- Strict adherence to required and prohibited expenses.
- Include costs in the correct category (i.e., Personnel Costs, Operating Costs, and Equipment Costs – see below).

Include **only** those items covered by Grant Subaward funds. Applicants may supplement Grant Subaward funds with funds from other sources.

a. Personnel Costs – Salaries/Employee Benefits

1) Salaries

Personnel includes Grant Subaward services performed by Grant Subaward staff **directly employed by the Applicant** (not a contract or Participating Agency) and must be identified by position, cost and time spent on allowable activities for the Grant Subaward (e.g., Clerical Staff @ \$20/hour x 980 hours; Program Manager @ \$1,500/month x 12 months x .50 FTE). Personnel may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must also be allocated as a part of salaries. If the Applicant's personnel have accrued sick leave or vacation time prior to the approval of the Grant Subaward, they may not take time off using Grant Subaward funds.

2) Benefits

Employee benefits must be identified by type and include a calculation. The Applicant may use fixed percentages of salaries to calculate benefits. Allocated benefits cannot exceed those already established by the Applicant.

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Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable. Benefits, such as uniforms or California Bar Association dues, are allowable if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 FTE clerical positions).

Additional information on Personnel Expenses can be found in *SRH Part 3*.

b. Operating Costs

Operating costs are defined as necessary expenditures other than personnel salaries, benefits, and equipment. The costs must be Grant Subaward-related (i.e., to further the Program objectives as defined in the Grant Subaward) and be encumbered during the Grant Subaward performance period.

Examples of common operating costs include, but are not limited to:

- Audit costs (SRH Section 14.035)
- Computers with an acquisition cost of \$4,999 or less
- Computer equipment rentals
- Consultant services (SRH Section 6.050)
- Equipment service and maintenance agreements
- Financial Assistance for clients (SRH Section 4.040)
- Furniture and office equipment (\$4,999 or less)
- Indirect costs (SRH Section 4.045)
- Insurance (e.g., vehicle, fire, bonding, theft, and liability)
- Internet access
- Office supplies
- Office rental space (SRH Section 4.055)
- Postage
- Printing

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- Second-Tier Subawards (SRH Section 7.010)
- Software
- Training materials
- Travel and per diem (SRH Section 4.065)
- Utilities
- Vehicle maintenance

Additional information on Operating Expenses can be found in *SRH Part 4*.

c. Equipment Costs

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and a cost of \$5,000 or more per unit (excluding tax).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three copy machines must be one line item, not three).

Additional information on Equipment Costs can be found in *SRH Part 5*.

6. Grant Subaward Budget Narrative (Cal OES Form 2-107)

This form should describe the following:

- How the line items on the Grant Subaward Budget Pages (Cal OES Form 2-106a) support the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- How shared costs are allocated.
- How Grant Subaward-funded staff duties and time commitments support the proposed objectives and activities.
- The necessity for subcontracts and unusual costs.  
Need for mid-year salary range adjustments.

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7. Grant Subaward Programmatic Narrative (Cal OES Form 2-108)

This form is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the Applicant to implement the proposed plan.

a. Problem Statement

A Problem Statement is not required.

b. Plan

In narrative form, address the following:

A plan for accomplishing all programmatic components.

8. Grant Subaward Service Area Information (Cal OES Form 2-154)

This form identifies the counties, cities, and congressional districts served by the Grant Subaward.

9. Non-Competitive Procurement Request (Cal OES Form 2-156)

A Non-competitive procurement transaction is a purchase of property/goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. See *SRH Section 6.045* for additional information.

This form provides information to support a request for approval of a non-competitive procurement.

10. Independent Contractor/Consultant Rate Exemption Request (Cal OES Form 2-164)

The maximum rate for an independent contractor/consultant is \$650 per eight-hour day or \$81.25 per hour per *SRH Section 6.050*.

This form provides information to support a request for approval of an exemption to the maximum rate. This form is only required if the Applicant proposes to have a line item on their Grant Subaward

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Budget Pages (Cal OES Form 2-106a or b) for an independent contractor above the maximum rate.

### 11. Lodging Rate Exemption Request (Cal OES Form 2-165)

This form provides information to support a request for approval of an exemption to the maximum lodging rate per SRH Section 4.070.

### 12. Subrecipient Grants Management Assessment

Per title 2 CFR § 200.331, Cal OES is required to evaluate the risk of noncompliance with federal statutes, regulations, and terms and conditions posed by each Subrecipient of pass-through funding. The assessment is made in order to determine and provide an appropriate level of technical assistance, training, and oversight to Subrecipients.

## C. ADDITIONAL DOCUMENTS

Applicants may be required to submit additional documents. **Required documents for this Program are identified on the Checklist in Part III.**

General information regarding each document is below:

### 1. Indirect Cost Rate Agreement

The Indirect Cost Rate Agreement documents the agreed upon indirect cost rate negotiated between the federal government and an organization. Subrecipients with a negotiated indirect cost rate must provide a copy of the agreement with their application if indirect costs are included in the budget.

## D. BUDGET POLICIES

The following sections of the [SRH](#) may be helpful in developing the Grant Subaward Budget Pages (Cal OES 2-106a) and Grant Subaward Budget Narrative (Cal OES 2-107):

- Additional Rental Space (*SRH Section 4.055*)
- Audit Costs (*SRH Section 14.055*)
- Automobiles (*SRH Section 5.020*)
- Contracting and Procurements Requirements (*SRH Part 6*)
- Equipment and Equipment Costs Requirements (*SRH Part 5*)
- Expert Witness Fees (*SRH Section 6.050*)

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- Independent Contractor/Consultant (*SRH Section 6.050*)
- Indirect Cost or Facilities and Administration (*SRH Section 4.045*)
- Facility Rental (*SRH Section 4.055*)
- Prohibited Operating Costs (*SRH Section 4.070*)
- Grant Subaward and Other Income (*SRH Section 9.075*)
- Supplanting Prohibited (*SRH Section 1.065*)
- Travel (*SRH Section 4.065*)

### **E. ADMINISTRATIVE REQUIREMENTS**

Subrecipients must administer their Grant Subawards in accordance with all [SRH](#) requirements. Failure to comply with these requirements can result in the withholding or termination of the Grant Subaward. The following section may be helpful for developing a proposal and for planning purposes:

- Audit Requirements (*SRH Part 14*)
- Communication and Internet Access (*SRH Section 1.070*)
- Intellectual Property, Copyright, and Patent Requirements (*SRH Part 8*)
- Fidelity Bond/Certificate of Insurance (*SRH Section 2.015*)
- Monitoring (*SRH Part 13*)
- Report of Expenditures and Request for Funds (*SRH Section 9.025*)
- Records Requirements (*SRH Part 12*)



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**PART III – CHECKLIST**

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This checklist is provided to ensure that a complete application is submitted to Cal OES. This also provides the order documents/forms should be organized.

**The following forms/documents are required for all Subrecipients.**

- GRANT SUBAWARD FACE SHEET ([Cal OES Form 2-101](#)) – Signed by the Official Designee authorized to enter into the Grant Subaward.
- GRANT SUBAWARD CONTACT INFORMATION ([Cal OES Form 2-102](#))
- GRANT SUBAWARD SIGNATURE AUTHORIZATION ([Cal OES Form 2-103](#))
- GRANT SUBAWARD CERTIFICATION OF ASSURANCE OF COMPLIANCE ([Cal OES Form 2-104](#)) – Signed by the Official Designee who signed the Grant Subaward Face Sheet and by the official delegating that authority
- GRANT SUBAWARD BUDGET PAGES (EXCEL SPREADSHEET FORMAT) ([Cal OES Form 2-106b](#)) Pages with Single Fund Source
- GRANT SUBAWARD BUDGET NARRATIVE ([Cal OES Form 2-107](#))
- GRANT SUBAWARD PROGRAMMATIC NARRATIVE ([Cal OES Form 2-108](#))
  - PLAN
- GRANT SUBAWARD SERVICE AREA INFORMATION ([Cal OES Form 2-154](#))
- [SUBRECIPIENT GRANTS MANAGEMENT ASSESSMENT](#)

**The following forms/documents may be required depending on the Subrecipient’s application and/or Program requirements.**

- NON-COMPETITIVE PROCUREMENT REQUEST ([Cal OES Form 2-156](#))
- INDEPENDENT CONTRACTOR/CONSULTANT RATE EXEMPTION REQUEST ([Cal OES Form 2-164](#))
- LODGING RATE EXEMPTION REQUEST ([Cal OES Form 2-165](#))
- INDIRECT COST RATE AGREEMENT