



REQUEST FOR APPLICATION

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

LEGAL ASSISTANCE (XL) PROGRAM

Release Date: July 15, 2020

This Request for Application (RFA) provides detailed information and forms necessary to prepare an application for Cal OES grant funds. The terms and conditions of this RFA supersede previous RFAs and conflicting provisions stated in the [Subrecipient Handbook \(SRH\)](#).

PROGRAM SYNOPSIS

Program Description:

The purpose of the XL Program is to increase the availability of holistic civil and criminal legal assistance needed to effectively aid adult and youth victims of crime, including those who live in rural or isolated communities, who are seeking relief in legal matters relating to that crime at no cost to the victim. Funds may not be used to provide criminal defense services.

Eligibility:

The only eligible Applicants are the current XL Program Subrecipients funded in the prior fiscal year.

Grant Subaward Performance Period:

January 1, 2021, through December 31, 2021

Submission Deadline:

Monday, September 14, 2020



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(916) 845-8281 TELEPHONE

[CalOES Website](#)

LEGAL ASSISTANCE (XL) PROGRAM

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PART I – OVERVIEW

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A. PUBLIC RECORDS ACT NOTICE

Grant applications are subject to the California Public Records Act, Government Code Section 6250, *et seq.* Do not put any personally identifiable information or private information on this application. If you believe that any of the information you are putting on this application is exempt from the Public Records Act, please indicate what portions of the application 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

Contact your Human Trafficking & Legal Assistance Unit Program Specialist concerning this RFA, the application process, or programmatic issues.

C. SUBMISSION DEADLINE AND OPTIONS

Applications must be delivered to Cal OES by 5:00 pm on Monday, September 14, 2020. Submission options are:

- Emailed to: VSapplications@caloes.ca.gov
- Postmarked or hand-delivered to the address below:

California Governor's Office of Emergency Services
Victim Services Branch
3650 Schriever Avenue
Mather, CA 95655
Attn: Human Trafficking & Legal Assistance Unit

D. ELIGIBILITY

The only eligible Applicants are the XL Program Subrecipients funded in the prior fiscal year.

Applicants applying for programs supported with federal funds must be registered in the federal System for Award Management (SAM) and have an expiration date that is at least eight weeks after the Application due date. [Check SAM status.](#)

Applicants that are community-based organizations must be registered with the California Department of Justice's Registry of Charitable Trusts with a "current" or "pending" status. [Check nonprofit status.](#)

E. GRANT SUBAWARD PERFORMANCE PERIOD

The Grant Subaward performance period is January 1, 2021, through December 31, 2021.

F. FUNDS

There is \$11,634,880 available for the Program for the Grant Subaward performance period.

1. Source of Funds

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

The Program is supported through the Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program (Formula Grant Program)

- Supports eligible crime victim assistance programs.
- Requires a cash and/or in-kind match equal to 20 percent of the total project cost. Applicants may request a partial of full match waiver. **To request a match waiver, Applicants must submit the VOCA Match Waiver Request form (Attachment A) to the applicable Program Specialist, by email, by**

August 21, 2020. All sections of the form must be completed. Answers to questions 9 through 11 must be specific and unique to the Applicant and Program.

- Cal OES's four-character code for this federal fund is VOCA. This code will be in the drop-down on the Grant Subaward Face Sheet (Cal OES 2-101).
- The federal award numbers are 2018-V2-GX-0029 and 2019-V2-GX-0053.

2. Funding Amount

Applicants may apply for up to the amount listed in Attachment B, Funding Chart; see the chart for a breakdown on the fund source and match.

G. PROGRAM INFORMATION

1. Background Information

Cal OES established the XL Program in 2016 to increase the availability of holistic legal assistance to adult and youth victims of crime. Additional legal assistance Subrecipients were identified and funded through the competitive KL Program Request for Proposals in 2017 and 2018. In State Fiscal Year 2019-20, these three Legal Assistance Program cohorts – XL16, KL17, and KL18 – were combined into a single XL Program to ensure consistency of program components, requirements, and limitations across all legal assistance Subrecipients.

2. Program Description

The XL Program is intended to increase the availability of holistic civil and criminal legal assistance needed to effectively aid adult and youth victims of crime, including those who live in rural or isolated communities, who are seeking relief in legal matters relating to that crime at no cost to the victim. XL Program funds may not be used to provide criminal defense services.

3. Program Components

The following are the required components of the XL Program:

a. Legal Assistance

If you are a community-based organization that provides direct services to victims, XL Program funding must be used to develop and/or enhance cooperative efforts with legal assistance providers to provide holistic legal assistance to victims of crime.

If you are a publicly-funded organization (not acting in a governmental capacity) – such as a Law School or a Bar Association, an Indian Tribal Government or Organization/Consortium, or a Legal Aid or Statewide Legal Services Agency – XL Program funding must be used to develop and/or enhance cooperative efforts with direct victim services provider(s) to provide holistic legal assistance to victims of crime.

b. Operational Agreement(s)(OAs)/Second Tier Subawards

An OA is a formal agreement, without the exchange of money, between an implementing agency and one or more participating agencies. 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 project.

Subrecipients are required to submit OAs with their Application. These documents must demonstrate a formal system of networking and coordination with other agencies and the Subrecipient. See a. and b., above, for examples of agencies and organizations with which OAs must be submitted.

c. Mobile Legal Assistance Services, Including Tele-Law

Subrecipients are strongly encouraged to provide “remote access” holistic legal assistance to victims of crime who are unable to access the business office in which the Program is located for reasons including shelter in place orders due to the COVID-19 pandemic, when the victim lives in a rural or remote area, or the victim does not have access to safe and reliable transportation to the Program site. For the purpose of this RFA, “remote access” can include, but is not limited to, a “legal office/courtroom on wheels,” videoconference/virtual meetings via Zoom, BlueJeans, Google Hangouts, Skype, etc., web or mobile apps, or other forms of Tele-Law.

Please describe the mobile legal assistance services, if applicable, in the Plan section of the Project Narrative.

d. Assistance with California Victim Compensation Board Claims

Subrecipients are strongly encouraged to assist victims with applying for compensation benefits through the California Victim Compensation Board. Activities may include:

- Advising of the availability of such benefits
- Assisting with application forms and understanding procedures
- Obtaining necessary documentation to support the claim
- Monitoring claim status

e. Remote Access

Subrecipients are strongly encouraged to budget for laptops, tablets, or other mobile communication devices and cellular service to facilitate remote access to legal assistance for clients and online victim compensation application and claim monitoring processes whether staff are working in the office, in the field, or at a remote workstation (e.g., teleworking).

4. Reporting Requirements

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

a. Cal OES Progress Reports

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

Report	Report Period	Due Date
1 st Report	January 1, 2021 – June 30, 2021	July 30, 2021
2 nd / Final Report	July 1, 2021 – December 31, 2021	January 31, 2022

b. Office for Victims of Crime (OVC) Reports

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

1) Subgrant Award Report (SAR)

This on-line report is due **within 90 days of the beginning of the performance period**. Cal OES will initiate access and the Subrecipient must complete the remainder of the report in the OVC Performance Measurement Tool (OVC PMT).

2) Subgrantee Report

Subrecipients must complete this report no later than two weeks following the end of each federal fiscal year quarter. Subrecipients will report data directly into the OVC PMT database no later than the due dates listed, unless otherwise instructed by your Program Specialist.

Report Period	Due Date*
January 1, 2021 – March 31, 2021	on or about April 14, 2021
April 1, 2021 – June 30, 2021	on or about July 14, 2021
July 1, 2021 – September 30, 2021	on or about October 14, 2021
October 1, 2021 – December 31, 2021	on or about January 14, 2022

* Exact due dates will be provided by your Program Specialist at the end of each quarter.

For technical assistance, issues or questions regarding the OVC PMT database, please contact the OVC PMT Help Desk at ovcpmt@csrincorporated.com or call toll-free (844) 884-2503.

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PART II – RFA INSTRUCTIONS

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

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

B. FORMS

The Applicant 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 Project and Budget Narratives. No tables, charts, or changes to the margins are allowed.**

C. APPLICATION COMPONENTS

Applicants must complete and submit all required components. Specific information for each component is included next. The Checklist in Part III is included to ensure Applicants submit all required components.

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

The Grant Subaward Face Sheet is the title page of the Grant Subaward that is signed by the Subrecipient and the Cal OES Director (or designee). Instructions are included on the form.

2. Project Contact Information (Cal OES 2-102)

The Project Contact Information form provides Cal OES with all relevant Subrecipient personnel. Information for each individual should be direct contact information. Instructions are included on the form.

3. Signature Authorization (Cal OES 2-103)

The Signature Authorization form provides Cal OES with signatures of authorized signers and who they authorize to sign on their behalf for all grant-related matters. Instructions are included on the form.

4. Certification of Assurance of Compliance (Cal OES 2-104f)

Cal OES is required by law to obtain written certifications of compliance. The Certification of Assurance of Compliance form is a binding affirmation that the Subrecipient will comply with the following regulations and restrictions:

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

Subrecipients may be asked to sign and submit an updated Certification of Assurance of Compliance once in Grant Subaward agreement. Each year, Cal OES updates each Certificate of Assurance of Compliance to ensure that any new conditions placed upon the federal award are passed down to Subrecipients. Subrecipients will be notified if this change is needed.

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

The Budget demonstrates how the Applicant will implement the proposed plan with the funds available through this Program. The budget is the basis for management, fiscal review, and audit. **Budgets are subject to Cal OES modifications and approval.** Failure of the Applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project.

The Budget Pages 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 page. Applicants may add additional columns to the Budget Pages 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 expenses.**

The Budget Pages should:

- Cover the entire Grant Subaward performance period
- Include costs related to the objectives and activities of the project
- Strictly adhere to required and prohibited expenses
- Include expenses in the correct category (i.e., Personal Services, Operating Expenses, and Equipment – see below)

Include **only** those items covered by grant funds, including match funds, when applicable. Applicants may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, Applicants should not include in the Project Budget matching funds (if applicable) in excess of the required match.

a. Personal Services – Salaries/Employee Benefits

1) Salaries

Personal services include services performed by project 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 Program (e.g., Clerical Staff @ \$20/hour x 980 hours; or Victim Advocate @ \$3,500/month x 12 months x .50 FTE). They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must also be budgeted as a part of salaries. If the Applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds.

2) Benefits

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

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items 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 clerical positions).

b. Operating Expenses

Operating expenses are defined as necessary expenditures other than personal salaries, benefits, and equipment. The expenses must be grant-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 an Operating Expense line item include, but are not limited to:

- Consultant services such as subcontractors
- Indirect cost allowance
- Salaries of participating staff who are not employed by the Applicant
- Travel
- Office supplies
- Training materials
- Equipment maintenance
- Software equipment rental/lease
- Telephone, postage

- Printing
- Facility rental
- Vehicle maintenance
- Furniture and office equipment with a cost of less than \$5,000 (excluding tax) and/or with a useful life of less than one year

Salaries for staff not directly employed by the Applicant must be shown as consultant and/or participating staff costs and must be supported with a Second Tier Subaward, which must be kept on file and made available for review during audits or at the request of Cal OES (SRH 3710 and 4300).

c. Equipment

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). Vehicle purchases are an allowable expense for the XL Program if the purchase of the vehicle(s) demonstrably supports the goals and objectives of the Program.

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

6. Budget Narrative (Cal OES 2-107)

The Budget Narrative should describe the following:

- a. How the Applicant's proposed budget supports the objectives and activities.
- b. How funds are allocated to minimize administrative costs and support direct services.
- c. How shared costs are allocated.
- d. How program-funded staff duties and time commitments support the proposed objectives and activities.
- e. The necessity for subcontracts and unusual expenditures.
- f. Need for mid-year salary range adjustments.

7. Project Narrative (Cal OES 2-108)

The Project Narrative 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. Address how service delivery has been affected by the COVID-19 pandemic and provisions made or needed to effectively continue operation of the Program.

a. Problem Statement

A Problem Statement is not required for the RFA. However, please provide relevant updates to your target area, target population, or crime statistics, if applicable.

b. Plan

In narrative form, the Subrecipient must address the following:

- 1) Provide an update on how the organization will continue to execute and expand from the original plan.
- 2) Include additional details if there have been significant changes to that plan, such as adaptations to service delivery made as a result of the COVID-19 pandemic, etc.
- 3) Summarize how the organization will implement the services to meet the objectives of the Program and how it will assure the required service components are provided.
- 4) Applicants continuing and/or adding mobile legal services to their Program should provide a description of the services and how they will be provided.
- 5) Updated job descriptions or staff qualifications.

8. 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 grant 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 grant oversight to Subrecipients. Instructions are included on the form.

9. Project Service Area Information (Cal OES 2-154)

The Project Service Area Information form identifies the counties, cities, and congressional districts served by the project. Instructions are included on the form.

10. Organizational Chart

The Organizational Chart should clearly depict the structure of the Applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget Pages and Budget Narrative.

11. Additional Forms/Documents

The following are required only if applicable:

- VOCA Match Waiver Request

This form is required only if the Applicant is requesting to waive a portion, or all, of the required Match. See Part I, F., 1 for additional information.

- Operational Agreement(s)

OAs are required per Part I, Subpart G of this RFA.

- Petty Cash Victim Fund Procedures (Cal OES 2-153)

This form is required only if the Applicant proposes to have a line item in their Budget that meets the definition of Petty Cash in *SRH 2235.1*. Instructions are included on the form.

- Non-Competitive Bid Request Checklist (Cal OES 2-156)

This form is required only if the Applicant proposes a line item in their Budget that meets the criteria for a Non-Competitive Bid

Request per *SRH 3511*. Instructions are included on the form.

- Contractor/Consultant Rate Exemption Request (Cal OES 2-164)

This form is required only if the Applicant is requesting an exemption to the maximum rate for an independent contractor/consultant of \$650 per eight-hour day or \$81.25 per hour per *SRH 3710.1*. Instructions are included on the form.

- Out-of-State Travel Request (Cal OES 2-158)

This form is required only if the Applicant proposes a line item for out-of-state travel per *SRH 2236.1.1*. Instructions are included on the form.

- Excess Lodging Rate Request/Approval Form (Cal OES 2-165)

This form is required only if an Applicant is requesting approval for excess lodging costs per *SRH 2236.2*.

D. BUDGET POLICIES

The following sections of the [SRH](#) may be helpful in developing the Budget Pages and Budget Narrative.

- Additional Rental Space (*SRH 2232.1*)
- Audit Costs (*SRH 8150*)
- Automobiles (*SRH 2331*)
- Cash Match (*SRH 6511*)
- Contracting and/or Procurement (*SRH 3400*)
- Equipment (*SRH 2300*)
- Expert Witness Fees (*SRH 3710.2*)
- Independent Contractor/Consultant (*SRH 3710*)
- Indirect Cost Rate Proposal (ICRP) (*SRH 2180 & SRH 2188*)
- In-Kind Match (*SRH 6512*)
- Internet Access (*SRH 2340*)
- Match Requirements (*SRH 6500*)
- Office Space Rental (*SRH 2232*)
- Prohibited Expense Items (*SRH 2240*)
- Project Income (*SRH 6610*)
- Rented or Leased Equipment (*SRH 2233*)
- State Funds Matching State or Federal Funds (*SRH 6522*)
- Supplanting Prohibited (*SRH 1330*)

- Travel and Per Diem (SRH 2236 and 2236.2)

E. ADMINISTRATIVE REQUIREMENTS

Subrecipients must administer their grants 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 an application and for planning purposes:

- Audit Requirements (SRH 8100)
- Communications (SRH 11500)
- Copyrights, Rights in Data, and Patents (SRH 5300-5400)
- Certificate of Insurance (SRH 2160)
- Monitoring (SRH 10400)
- Programmatic Technical Assistance and Site Visit Performance Assessment (SRH 10200-10300)
- Report of Expenditures and Request for Funds (SRH 6300)
- Source Documentation (SRH 10111)

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PART III – CHECKLIST

This checklist is provided to ensure that a complete application is submitted to Cal OES.

- GRANT SUBAWARD FACE SHEET ([Cal OES 2-101](#)) – Signed by the official authorized to enter into the Grant Subaward.
- PROJECT CONTACT INFORMATION ([Cal OES 2-102](#))
- SIGNATURE AUTHORIZATION ([Cal OES 2-103](#))
- CERTIFICATION OF ASSURANCE OF COMPLIANCE ([Cal OES 2-104f](#)) – Signed by the official who signed the Grant Subaward Face Sheet and by the official delegating that authority.
- BUDGET PAGES (EXCEL SPREADSHEET FORMAT) ([Cal OES 2-106a](#) Budget Pages Multiple Fund Source)
- BUDGET NARRATIVE ([Cal OES 2-107](#))
- PROJECT NARRATIVE ([Cal OES 2-108](#))
 - PROBLEM STATEMENT, IF APPLICABLE
 - PLAN
- [SUBRECIPIENT GRANTS MANAGEMENT ASSESSMENT](#)
- PROJECT SERVICE AREA INFORMATION ([Cal OES 2-154](#))
- ORGANIZATIONAL CHART
- ADDITIONAL FORMS, IF APPLICABLE
 - MATCH WAIVER REQUEST(S)
 - OPERATIONAL AGREEMENT(S)
 - PETTY CASH VICTIM FUND PROCEDURES ([Cal OES 2-153](#))
 - NON-COMPETITIVE BID REQUEST CHECKLIST ([Cal OES 2-156](#))
 - CONTRACTOR/CONSULTANT RATE EXEMPTION REQUEST ([Cal OES 2-164](#))
 - OUT-OF-STATE TRAVEL REQUEST ([Cal OES 2-158](#))
 - EXCESS LODGING RATE REQUEST/APPROVAL ([Cal OES 2-165](#))