



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: August 13, 2021

This Request for Application (RFA) provides detailed information and forms necessary to prepare an application for Grant Subaward 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 provide holistic civil and criminal legal assistance to effectively aid adult and youth victims of crime, including those living in rural or isolated communities, who are seeking relief in legal matters related to that crime at no cost to the victim. XL Program funds may not be used to provide criminal defense services.

Eligibility:

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

Grant Subaward Performance Period:

January 1, 2022 – December 31, 2022

Submission Deadline:

Friday, October 8, 2021



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[Cal OES Website](#)

LEGAL ASSISTANCE (XL) PROGRAM

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LEGAL ASSISTANCE (XL) PROGRAM

PART I – OVERVIEW

- A. PUBLIC RECORDS ACT NOTICE
 - B. CONTACT INFORMATION
 - C. SUBMISSION DEADLINE AND OPTIONS
 - D. ELIGIBILITY
 - E. GRANT SUBAWARD PERFORMANCE PERIOD
 - F. FUNDS
 - G. PROGRAM INFORMATION
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A. PUBLIC RECORDS ACT NOTICE

Grant Subaward 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 emailed to VSapplications@caloes.ca.gov by 5:00 pm on Friday, October 8, 2021.

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 non-governmental organizations must be registered with the California Department of Justice's Registry of Charitable Trusts with a "current", "exempt", or "pending" status. [Check nonprofit status.](#)

E. GRANT SUBAWARD PERFORMANCE PERIOD

The Grant Subaward performance period is January 1, 2022 – December 31, 2022.

F. FUNDS

There is \$11,363,300 available for the Program for the Grant Subaward performance period. **Funding is contingent upon availability of funds.**

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 following funds:

- a. 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. **All match required for VOCA funds on the XL Program will be met using State General Funds; see Attachment B Funding Chart for additional information.**
 - 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 Form 2-101).
 - The federal award numbers are 2019-V2-GX-0053 and 2020-V2-GX-0031.

b. Victims of Crime General Fund (State General Funds)

- There is no match requirement for this fund source.
- Cal OES's four-digit code for this state fund is VCGF. This code will be in the drop-down on the Grant Subaward Face Sheet (Cal OES Form 2-101).

2. Funding Amount

Applicants may apply for up to the amounts listed in Attachment B, Funding Chart; see the chart for the breakdown of each fund source (by four-digit code) 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 Subrecipients were selected for funding through the competitive KL Program Requests 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 Subrecipients.

2. Program Description

The purpose of the XL Program is to provide holistic civil and criminal legal assistance to effectively aid adult and youth victims of crime, including those living in rural or isolated communities, who are seeking relief in legal matters related 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

Subrecipients that are non-governmental organizations providing

direct services to victims of crime must use XL Program funding to develop and/or enhance cooperative efforts with legal assistance providers to serve the holistic legal assistance needs of victims of crime.

Subrecipients that are publicly-funded organizations (not acting in a federal, state, or local governmental capacity) – such as a law school or bar association, a Tribal Government or tribal organization/consortium, or a legal aid or statewide legal services agency – must use XL Program funding to develop and/or enhance cooperative efforts with direct victim service providers to serve the holistic legal assistance needs of victims of crime.

b. 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 XL Program is located for reasons including public health orders, victim lives in a rural or remote area, victim does not have access to safe and reliable transportation to the program site, etc. For the purpose of this RFA, “remote access” can include, but is not limited to, a “legal office/courtroom on wheels,” videoconference/virtual (cloud or web-based) meetings, web or mobile apps, or other forms of Tele-Law.

Subrecipients are strongly encouraged to budget for laptops, tablets, or other mobile communication devices and cellular and internet connection services to facilitate remote access to legal assistance and related appointments and services for clients whether staff are working in the office, in the field, or at a remote workstation (e.g., teleworking).

c. 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; and
- Monitoring claim status.

Subrecipients are also strongly encouraged to allocate funds for tablets or mobile communication devices and cellular service to swiftly facilitate the on-line application process in the office or in the field.

d. Operational Agreements/Second-Tier Subawards

Subrecipients are required to enter into either Operational Agreements (OAs) or Second-Tier Subawards with participating agencies that will expand the XL Program's scope of services and assist in the implementation of their Grant Subawards. See Part I, G, 3, a. Legal Assistance (above) for examples of agencies and organizations with which OAs and/or Second-Tier Subawards must be submitted.

An OA is a formal agreement, without the exchange of money, between an implementing agency and one or more participating agencies (*SRH Section 7.005*). 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*).

4. Reporting Requirements

Progress Reports serve as a record for the implementation of the Grant Subaward. 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, 2022 – June 30, 2022	July 29, 2022
2 nd (Final) Report	July 1, 2022 – December 31, 2022	January 31, 2023

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.

2) Subgrantee Report

Subrecipients receiving Victims of Crime Act funds 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, 2022 – March 31, 2022	on or about April 14, 2022
April 1, 2022 – June 30, 2022	on or about July 14, 2022
July 1, 2022 – September 30, 2022	on or about October 14, 2022
October 1, 2022 – December 31, 2022	on or about January 13, 2023

* 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.

LEGAL ASSISTANCE (XL) PROGRAM

PART II – RFA INSTRUCTIONS

- A. SUBRECIPIENT HANDBOOK
 - B. APPLICATION FORMS
 - C. BUDGET POLICIES
 - D. 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 an application, including a Glossary of Terms.

B. APPLICATION 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 Grant Subaward Programmatic Narrative (Cal OES Form 2-108) and the Grant Subaward Budget Narrative (Cal OES Form 2-107). No tables, charts, or changes to the margins are allowed.**

Applicants must complete and submit all required forms. All forms have written instructions. General information regarding each form is below. The Checklist in Part III is included to ensure Applicants submit all required components.

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.

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 2-104f)

This 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 Act of 1990;
- California Environmental Quality Act;
- Federal grant fund requirements;
- Lobbying restrictions;
- Debarment and Suspension requirements; and
- Proof of Authority documentation from the city council/governing board.

Subrecipients may be asked to sign and submit an updated Grant Subaward Certification of Assurance of Compliance (Cal OES Form 2-104f) once in Grant Subaward. Every year, Cal OES updates each Grant Subaward Certification of Assurance of Compliance (Cal OES Form 2-104f) 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. Grant Subaward Budget Pages (Cal OES Form 2-106a)

This form demonstrates 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.**

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

- Cover the entire Grant Subaward performance period;
- Include costs related to the objectives and activities of the Grant Subaward;
- Strictly adhere to required and prohibited costs;
- Include costs in the correct category (i.e., Personnel Costs, Operating Costs, and Equipment Costs – see below); and
- Contain a detailed description of each line item

Include **only** those items to be covered by Grant Subaward funds, including match funds, when applicable. Applicants may supplement Grant Subaward funds with funds from other sources. However, since approved line items are subject to audit, Applicants should not include on the Grant Subaward Budget Pages (Cal OES 2-106a) matching funds (if applicable) in excess of the required match.

a. Personnel Costs – Salaries/Employee Benefits

1) Salaries

Personnel includes Grant Subaward services performed by 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; or Victim Advocate @ \$3,500/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 the Grant Subaward, they may not take time off using Grant Subaward 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. Allocated benefits cannot exceed those already established by the Applicant.

Employer contributions or costs 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 clerical positions).

Additional information on Personnel Costs 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 with an acquisition cost of \$4,999 or less;

- Indirect costs (*SRH Section 4.045*);
- Insurance (e.g., vehicle, fire, bonding, theft, malpractice, and liability);
- Internet access;
- Office supplies;
- Office rental space (*SRH Section 4.055*);
- Postage;
- Printing;
- Second-Tier Subawards (*SRH Section 7.010*);
- Software;
- Training materials;
- Travel and per diem (*SRH Section 4.065*);
- Utilities; and
- Vehicle maintenance.

Additional information on Operating Costs 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 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 for this RFA. However, please provide any relevant updates to your service area, target

population, remote access to services or health and safety protocols, or crime statistics, if applicable.

b. Plan

In narrative form, address the following:

- 1) Describe how the Subrecipient will continue to implement and expand on the original plan.
- 2) Include additional details of any significant changes to that plan, such as changes to service area or target population, or adaptations to service delivery made as a result of the continuing COVID-19 pandemic, etc.
- 3) Summarize how the Subrecipient will implement the services to meet the goals and objectives of the XL Program and how it will ensure the required components are provided to victims of crime at no cost to the victims.
- 4) Describe how the Subrecipient will partner/coordinate the provision of holistic legal assistance with the agencies or organizations with which the Subrecipient has an OA or Second-Tier Subaward for the XL Program (see Part I, G, 3, a. and d. for more information about this required program component).
- 5) Subrecipients continuing or adding mobile legal services to their implementation plan for the XL Program must provide a description of the services and how they will be provided.
- 6) Update job descriptions and resumes/qualifications for staff allocated to the XL Program.

7. 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.

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. 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 Grant Subaward. 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 on the Grant Subaward Budget Pages (Cal OES Form 2-106a) and Grant Subaward Budget Narrative (Cal OES 2-107) (if required).

10. Additional Forms/Documents

The following are required only if applicable:

- Operational Agreements Summary Form (Cal OES Form 2-160)

This form lists the OAs a Subrecipient has with participating agencies/organizations. OAs are required per Part I, Subpart G of this RFA.

- Petty Cash Victim Fund Certification (Cal OES Form 2-153)

This form is required only if the Applicant proposes to have a line item on their Grant Subaward Budget Pages (Cal OES Form 2-106a) that meets the definition of Petty Cash in *SRH Section 4.040*.

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

This form is required only if the Applicant proposes a line item on their Grant Subaward Budget Pages (Cal OES Form 2-106a) that meets the criteria for a Non-Competitive Procurement Request per *SRH Section 6.045*.

- Independent Contractor/Consultant Rate Exemption Request (Cal OES Form 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 Section 6.050*.

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

This form is required only if the Applicant proposes a line item for out-of-state travel per *SRH Section 4.065*.

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

This form is required only if an Applicant is requesting approval for an exemption for lodging costs per *SRH Section 4.065*.

C. 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) (if required):

- 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*);
- Independent Contractor/Consultant (*SRH Section 6.050*);
- Indirect Cost or Facilities and Administration (*SRH Section 4.045*);
- Match Requirements (*SRH Section 9.060*);
- 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*); and
- Travel (*SRH Section 4.065*).

D. ADMINISTRATIVE REQUIREMENTS

Subrecipients must administer their Grant Subaward 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 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*); and
- Records Requirements (*SRH Part 12*).

LEGAL ASSISTANCE (XL) PROGRAM

PART III – CHECKLIST

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

- 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](#))
- VOCA GRANT SUBAWARD CERTIFICATION OF ASSURANCE OF COMPLIANCE – ([Cal OES FORM 2-104f](#)) – 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 2-106a](#)) – Multiple Fund Sources
- GRANT SUBAWARD PROGRAMMATIC NARRATIVE ([Cal OES FORM 2-108](#))
 - PROBLEM STATEMENT (IF APPLICABLE)
 - PLAN
- [SUBRECIPIENT GRANTS MANAGEMENT ASSESSMENT](#)
- GRANT SUBAWARD SERVICE AREA INFORMATION ([Cal OES FORM 2-154](#))
- ORGANIZATIONAL CHART
- ADDITIONAL FORMS, IF APPLICABLE
 - OPERATIONAL AGREEMENTS SUMMARY FORM ([Cal OES FORM 2-160](#))
 - PETTY CASH VICTIM FUND CERTIFICATION ([Cal OES FORM 2-153](#))
 - NON-COMPETITIVE PROCUREMENT REQUEST ([Cal OES FORM 2-156](#))
 - INDEPENDENT CONTRACTOR/CONSULTANT RATE EXEMPTION REQUEST ([Cal OES FORM 2-164](#))
 - OUT-OF-STATE TRAVEL REQUEST ([Cal OES FORM 2-158](#))
 - LODGING RATE EXEMPTION REQUEST ([Cal OES FORM 2-165](#))