

STATE OF NEW JERSEY

**RECOVERY STOP Violence Against Women Act
(RECOVERY VAWA)
Grant Program**



COMPETITIVE

**PROGRAM ADMINISTRATION
AND FUNDING GUIDELINES**



DECEMBER 2009

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State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

PROGRAM ADMINISTRATION AND FUNDING GUIDELINES

I. ADMINISTRATION

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (Recovery Act). As one of its many elements, the Recovery Act provides the U.S. Department of Justice (DOJ), specifically the Office on Violence Against Women (OVW), with grant funds to assist state, local and tribal law enforcement, to combat violence against women and provide assistance to victims of crimes against women.

The Violence Against Women Act (VAWA) established a formula grant program in the U.S. Department of Justice for states to develop and implement effective law enforcement and prosecution strategies to combat violence against women and enhance victim services. The Federal STOP Violence Against Women Formula Grant Program, provides funding to each state in support of services to victims of violence against women. To further the purposes of the Recovery Act, OVW encourages States to target Recovery Act funding to hiring and retaining criminal justice and victim services personnel who respond to violent crimes against women as well as supporting other strategies that create and preserve jobs and promote economic growth while improving responses to domestic violence, dating violence, sexual assault, and stalking.

PROGRAM REQUIREMENTS

The VAWA grant assists state, county and municipal agencies to meet the needs of crime victims and to assist public and nonprofit agencies in providing and/or enhancing services to victims of crime. In doing so, VAWA funds are used to ensure that crime victims are treated with fairness, compassion and respect by the criminal justice system to prevent secondary victimization by the system.

This program is authorized by the Recovery Act of 2009. All grant awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants should anticipate that grant funds under Recovery VAWA will be one-time grant awards and should propose grant activities that can be accomplished without additional funding.

The New Jersey STOP Violence Against Women Act Grant Program is administered by the Division of Criminal Justice, State Office of Victim Witness Advocacy (SOVWA). New Jersey developed an implementation plan for Recovery VAWA for the allocation of grant funds following the Recovery Act purposes and based on the following general purpose areas of the Federal STOP Violence Against Women Act Formula Grant Program Guidelines:

- Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including crimes of sexual assault and domestic violence;
- Developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women;
- Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women;
- Developing, installing or expanding data collection and communication systems, including computerized systems linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women;
- Developing, enlarging, or strengthening victim services projects, including sexual assault and domestic violence projects; developing or improving delivery of victim services to racial, cultural, ethnic, and language minorities; providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women;
- Developing, enlarging, or strengthening projects addressing stalking; and
- Developing, enlarging, or strengthening projects addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women.

ALLOCATION OF FUNDS

Under the Federal STOP Violence Against Women Formula Grant Program, a state may use up to 10% of its allocation for administrative purposes. The remaining funds must be allocated, without duplication, to the following categories: prosecution, law enforcement, courts, victim services, and discretionary purposes. Funds distributed through the New Jersey STOP Violence Against Women Act Grant Program are administered in a manner consistent with the Violence Against Women Act of 1994, 42 U.S.C. Section 3796gg, as reauthorized and the STOP Violence Against Women Formula and Discretionary Grants Program Final Rule (*Federal Register*, April 18, 1995, Vol.60, No. 74).

PROGRAM ADMINISTRATION

In New Jersey, the Department of Law and Public Safety, Division of Criminal Justice, State Office of Victim Witness Advocacy (SOVWA) administers the VAWA program. SOVWA staff provides technical assistance and monitoring of all grants awarded under the VAWA Program. Additionally, the Division of Criminal Justice prepares programmatic and fiscal reports to the Department of Justice on all funded projects.

This document has been compiled to assist applicants with the application process, project and implementation, reporting requirements, and state and federal compliance issues. Staff from the SOVWA is available to assist with the development of the application and offer technical assistance during the implementation of the project. All inquiries concerning the subgrant application process should be addressed to a member of the SOVWA staff listed below:

Heddy Levine-Sabol, Acting Chief
State Office of Victim Witness Advocacy
Division of Criminal Justice
25 Market Street
P.O. Box 085
Trenton, New Jersey 08625-0085
(609) 292-6766

Tracy Abbate, Program Analyst
Isaac Junius, Program Analyst
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Linda Santiago, Program Analyst
Connie Schwedes, Program Analyst
Cheryl Tresch, Program Analyst

II. APPLICATION REQUIREMENTS

A. SUBMISSION

Applications are generally due forty-five (45) days after receipt of the grant notice. The application must be submitted in triplicate and include all proper subgrant application forms with original signatures (see Appendix I). In order to promote consistency, applicants should use the format outlined on the following pages for the proposal.

The grant period will be June 15, 2010 to April 15, 2011.

Submission deadline is February 15, 2010.

SOVWA will review and process subgrant applications on/or before March 31, 2010.

Applicants are not permitted to utilize previous forms in completing this application. Prior narratives can be modified to fit the program requirements.

Notice: Applicants should note that information contained in grant applications may not be considered confidential pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Do not include any information from any source in the grant application that you believe should not be made available for public review. Denoting information contained in your application as “confidential” or “not subject to public review” may not, standing alone, exempt the included information from public review.

DCJ reserves the right to decline any application for grant funding and to award subgrants in amounts that may be other than requested.

B. PROPOSAL FORMAT

Please use the following format in the development of your Project Narrative.

1. *Agency Background, Mission, Experience and Capability.* 10 points

Describe in detail the agency's mission, background and experience as it relates to the purpose and objectives of the proposed project. Explain the agency's understanding and capability to carry out the project based on demonstrated experience in providing victim services to the target population. Public agencies must cite their statutory and/or local governing authority.

2. *Problem Statement/Needs Assessment.* 15 points

Identify the specific problem(s), target population and geographic area that the proposed project will address. Describe the needs and characteristics of the target population; local needs and conditions; describe existing services and identify gaps and/or barriers in services. Include statistics and relevant facts to substantiate the need and selection of the proposed project.

3. *Goals, Objectives and Methods.* 30 points

Specify clear, realistic goals for the proposed project. Identify objectives that are concise, measurable and clearly relate to the goals, problem statement/needs assessment and target population. Measurable objectives shall include, but not be limited to, the level of service to be provided. Describe in detail the project's approach or strategy for attaining each objective. Complete a project work plan which includes each objective along with the major activities, responsible staff and feasible time frames for each objective and activity.

4. *Partnership, Collaboration or Coordination of Services.* 10 points

Partnerships, collaboration and/or coordination of services are strongly encouraged for all projects. Describe the agency's partnership and/or coalition building strategy and use of volunteers. Applications for projects which require coordination of services among two or more agencies must contain a signed affiliation agreement. An affiliation agreement must define roles, responsibilities, referral mechanisms, collaboration and coordination efforts necessary for successful implementation of the project and must be signed by all affiliating agencies. At least three letters of support for the specific project must be included with the application.

5. *Project Management and Staff.* 10 points

Identify project management and staff. Describe how personnel are uniquely qualified to manage and implement the project. Provide current resumes along

with job descriptions that describe the title, responsibilities, education and experience for each position for whom the grant or matching funds are requested. State if the position is full-time or part-time, the number of hours and percentage of time devoted to the project. Indicate if funds will be used to retain existing staff or to recruit new staff for each position requested in the budget. Grant funds cannot be used to supplant State and Federal funds otherwise available for crime victim services.

6. Data Collection/Performance Measures/Evaluation. 10 points

List data that will be collected. Describe the methods that will be used to measure the progress and assess the impact of the project. (Subgrantees will be required to collect and report specific data relating to their project to DCJ). Client feedback is strongly encouraged; if measurement does not include client feedback, an explanation must be provided.

7. Budget and Budget Narrative. 15 points

Provide detailed narrative justification for the funds requested by Budget Category itemized on the Budget Detail Forms. Costs must be specific and tied to the project objectives. Applicants should refer to the Program Guidelines for a description of budget categories and allowable expenses. No match funds are required for this application.

C. DEMONSTRATION OF NONPROFIT STATUS

Applicants that are nonprofit organizations are required to demonstrate their nonprofit status in any one of the following methods:

1. submission of proof of 501(c)(3) status from the Internal Revenue Service;
2. submission of a statement from the State taxing authority or State Secretary of State, or other similar official certifying that the organization is a nonprofit operating within the State (organized under N.J.S.A. 15A-1 et seq.), and that no part of its net earnings may lawfully benefit any private shareholder or individual;
3. submission of a certified copy of the applicant's certificate of incorporation or similar document; or,
4. submission of any item above, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

If a non-profit applicant is selected for funding, the organization will be expected to provide:

1. List of Board of Directors, term expiration date, addresses, phone number, email and their business affiliations.
2. List of Officers or similar governing body, addresses, phone number, and email.

3. Board Resolution authorizing application.
4. Copy of the organization's most recent annual report filed with the New Jersey Division of Revenue (www.state.nj.us/treasury/revenue/dcr/programs/ann_rpt.html) or a copy of a recent Certificate of Good Standing issued by the New Jersey Division of Revenue (<http://www.nj.gov/treasury/revenue/standcert.htm>).
5. Copy of the organization's most recent Form 990-Income Tax Return or copy of the most recent audited financial statements.
6. Latest annual report, if available.

III. BUDGET AND FISCAL GUIDELINES

A. ALLOWABLE COSTS

Allowable charges made with funds granted under federal legislation are determined in accordance with allowable cost standards set forth in General Services Administration Federal Management Circulars and the current edition of U.S. Department of Justice, Office of Justice Program, Finance Guide, on the web at: <http://www.ojp.usdoj.gov/financialguide> (OJP Financial Guide). The Subgrantee must adhere to the financial and administrative requirements set forth in the current edition of the OJP Financial Guide, which includes information on allowable costs, audit requirements, accounting systems, and financial records and how to administer grant funds.

B. SUPPLANTING

The Subgrantee may not use grant funds to supplant costs that would have been incurred in its operating budget in the absence of the federal award. Federal funds must be used to supplement existing funds for project activities and must not replace those funds that have been appropriated for the same purposes. If there is a potential presence of supplanting, the applicant or grantee will be required to supply documentation demonstrating that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

C. UNALLOWABLE COSTS

Generally, allowable costs may be rejected if, in SOVWA's determination, such costs are deemed excessive or not integral to the success of the project. All items of cost will be reviewed by SOVWA to determine eligibility. Also, costs incurred outside the project period (before or after) are not allowable. For a discussion on unallowable costs, see the OJP Financial Guide.

The Recovery Act specifically provides that funds may not be used by any state or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

The following items also are considered unallowable costs:

1. LAND ACQUISITION AND CONSTRUCTION PROJECTS

Federal funds granted for renting, leasing or renovating facilities may not include land acquisition or construction projects.

2. COMPENSATION AND TRAVEL OF FEDERAL EMPLOYEES

Salary payments, consulting fees and travel costs (including subsistence and lodging unless approved by the federal employee's department or agency) of full-time federal employees are unallowable.

3. FUND RAISING

Using grant funds for costs of fund raising for contributions and capital purposes are unallowable.

4. CONFERENCES AND WORKSHOPS

Unallowable costs include costs for entertainment, sports, visa and passport charges, tips, bar and alcoholic beverage charges, and laundry charges. Travel costs excluded under the current State Travel Regulations, 08-19-OMB, are unallowable.

(No overnight travel or meal allowance if travel is within the State).

(<http://www.state.nj.us/infobank/circular/circindx.htm>).

Lodging costs in excess of Federal per diem rate are not allowable.

(<http://www.gsa.gov>).

5. LOBBYING

Unallowable costs include costs for political lobbying, campaign contributions, and influencing pending state or federal legislation. (OJP Financial Guide, Part III Chapter 16: Unallowable Costs). Paying membership fees to organizations whose primary activity is lobbying is not allowable.

6. VAWA UNALLOWABLE COSTS

The Federal VAWA Guidelines include the following as unallowable costs:

- a. Development of Sexual Assault or Domestic Violence curriculum for school programs.
- b. Legal representation for divorce or child custody proceedings.
- c. Long term therapeutic services.
- d. Professional liability insurance.

- e. Advertising expenses.

D. BUDGET CATEGORIES

Budget categories appearing on the application form (see Appendix I, Budget Detail) are listed and explained below. Note that applicants should use whole dollars only when itemizing costs. Costs should be itemized, showing computation and per unit cost.

1. SALARIES AND WAGES

List each position for which funds are requested; indicate the percentage of time to be spent on the project, and the total annual salary of each. Employee benefits, such as retirement, FICA and health insurance, should be itemized separately.

In no case may grant funds supplant local costs that would have been incurred in the operating budget of the unit of local government or non profit organization in the absence of the federal award (see page 7 for information on supplanting).

Total cash compensation (salary plus bonuses) of any employee of the award recipient is limited to no more than 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (A salary table for SES employees is available at www.opm.gov).

2. PURCHASE OF SERVICES

Purchase of services includes registration fees, tuition for training seminars, contracting of service organizations and associations, confidential funds, and other costs for professional services, etc.

3. TRAVEL, TRANSPORTATION, SUBSISTENCE

Travel costs are allowable if permitted under the current State Travel Regulations, 08-19-OMB (<http://www.state.nj.us/infobank/circular/circindx.htm>). Mileage reimbursement cannot be charged in excess of the New Jersey State maximum of \$.31 per mile, State Treasury Circular Letter 01-02-OMB. Travel costs should be projected by estimating the number of trips per person multiplied by the estimated cost per trip. Where possible, the proposed destination and purpose of the trip(s) should be listed.

All requests for training/travel must be submitted in writing to DCJ sixty (60) days before the commencement of travel. Written approval from DCJ must be received prior to the expenditure of funds for travel costs. Justification must include assurances that the travel is approved by the applicant agency, is

permissible under current State Travel Regulations and travel rates requested are consistent with federal per diem rates (www.gsa.gov). In the absence of a federal per diem rate, travel expenses must be consistent with State per diem allowances.

4. CONSUMABLE SUPPLIES

Estimate the cost of materials directly required by the project, such as office supplies, postage, printing, and other expendable materials needed during the operation of the project.

Costs for public presentations on identifying crime victims and providing or referring them to needed services; brochures and presentation materials.

5. FACILITIES, UTILITIES, AND EQUIPMENT RENTAL

Only the costs of facilities which may be utilized in connection with project activities are permissible, e.g., furniture or equipment rental, maintenance costs, maintenance equipment contracts, utilities, telephone, etc.

6. EQUIPMENT

SOVWA may approve the purchase of equipment deemed appropriate and essential to the successful operation of projects. Equipment must be used for victim services purposes only. Requests for equipment should contain adequate cost specifications, including equipment type, quantity and estimated costs. Specific brand names should be excluded. An inventory of all equipment purchased with subgrant funds or through the federal excess property program must be maintained as part of the official grant file. The inventory should include a description of the property, serial or identification number, source of property, acquisition date, cost, location, condition and use, and ultimate disposition data. 28 C.F.R. §66.32(d)(1).

Pertaining to requests for acquisition of equipment, the following general cost allowance principles should be followed:

- a. Equipment should be requested only after determination that no other identical or similar equipment owned by the applicant is available for project use.
- b. Federal funds will not be authorized to provide reimbursement for the purchase price of equipment already owned by the applicant.
- c. If equipment purchased is used commonly for two or more federal grant programs or for a federal grant program and a non-federally supported state or local government activity, appropriate proration of cost of each activity involved must be included.

- d. All equipment specifications, requests for proposals and bid awards should be made no later than ninety (90) days after the release of initial subgrant funds by SOVWA. Failure to do so may result in termination of the grant award.
- e. All contracts shall contain a performance clause, acknowledging a specific date for delivery.
- f. A detailed explanation of equipment utilization should be included in the application. If training is necessary, a schedule of training, including length of training, trainees, and instructors should be presented.
- g. All equipment purchased under the grant must be tagged and property inventoried to reflect use of federal funds.
- h. All equipment must be acquired in accordance with state or local standard bidding/procurement procedures and guidelines.
- i. Automatic Data Processing Equipment and Software cannot be purchased without specific prior approval from SOVWA. (See OJP Financial Guide Part III Chapter 15: Costs Requiring Prior Approval).
- j. Information Technology:
 - i. Technology costs are allowable but draw down of funds may be prohibited until the State Information Technology Point of Contact person has received written notification of the project and has approved it in writing.
 - ii. Software development is an allowable cost.
 - iii. Criminal Justice Intelligence Systems must be operated in compliance with 28 C.F.R. Part 23.
 - iv. The National Information Exchange Model (NIEM) specifications and guidelines available at <http://www.niem.gov> must be used to support public safety and justice information sharing. All schemes must be made available for publication in the component registry.
- k. Sole Source Procurement over \$100,000. Subgrantees must follow appropriate state and local procurement laws and procedures. In every case involving sole source procurement in excess of \$100,000, prior written approval must be received from the awarding agency before funds can be obligated or expended.

7. VICTIM AID

Funds may be used to provide emergency services to victims. Applicants requesting funds for this category must submit a copy of the agency's written policy and procedures regarding the disbursement and accounting of these funds and the eligibility criteria.

Allowable expenses may include emergency food, clothing and toiletry items for victims in the immediate aftermath of a crime; emergency lock repair/replacement; and emergency transportation costs for victims to receive services.

IV. APPLICATION AUTHORIZATION

The submission of any subgrant application requires the signature of the applicant unit of government's chief executive officer, agency head or authorized party (see Appendix, Application Authorization). Signature indicates that the information provided within the application is accurate and complete and that the applicant intends to comply with all conditions applicable to subgrants awarded pursuant to the Violence Against Women Act (VAWA) of 1994, as amended, and the Omnibus Crime Control and Safe Streets Act of 1968 and regulations, as amended.

V. RESOLUTION

All units of local government and nonprofit organizations are required to include a Resolution of Participation as part of the official grant application. The Resolution should state that the applicant is applying for funding under the Recovery STOP Violence Against Women Act (VAWA) Grant Program and that the application has been reviewed and approved by the governing body or board of directors. The applicant must certify that it will participate fully as a joint effort between the unit of government or nonprofit organization and SOVWA, for the purpose described in the application. Finally, the Resolution must specify that the Attorney General will receive the funds on behalf of the applicant; DCJ will receive, review and approve the application; and SOVWA is authorized to initiate allocations to each applicant.

The Resolution of Participation must be certified by the recording officer and should contain the official seal, if applicable. A sample format for the Resolution of Participation can be found in the Appendix.

VI. CIVIL RIGHTS COMPLIANCE

Applicants are required to comply with nondiscrimination requirements contained in State and Federal laws and regulations. If a court or administrative agency makes a finding of discrimination against a recipient of funds on grounds of race, color, religion, national origin, gender, disability, or age after a due process hearing, the recipient must forward a copy of the finding to the Office of Justice Programs' Office of Civil Rights and SOVWA.

Applicants are also required to comply with the federal civil rights laws included in Title VI of the Civil Rights Act of 1964 (Title VI) and the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the Violence Against Women Act, and the Juvenile Justice and Delinquency Prevention Act, as amended. These laws prohibit discrimination on the basis of race, color, religion,

national origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of Limited English Proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, applicants are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access means that recipients of federal funding may have to provide language assistance services, including oral or written translations, when necessary.

Applicants are expected to comply with the provisions of DOJ's regulations concerning Equal Treatment for Faith-based Organizations, 28 C.F.R. Part 38. Eligible faith-based applicants who apply for subgrants of DOJ funding will be treated fairly according to 28 C.F.R. Part 38. Non-profits who apply for DOJ subawards will be asked to confirm their non-profit status by showing any one of the following methods:

- submission of proof of 501(c)(3) status from the Internal Revenue Service;
- submission of a statement from the State taxing authority or State Secretary of State, or other similar official certifying that the organization is a nonprofit operating within the State (organized under N.J.S.A. 15A-1 et seq.), and that no part of its net earnings may lawfully benefit any private shareholder or individual;
- submission of a certified copy of the applicant's certificate of incorporation or similar document; or,
- submission of any item above, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

Faith-based organizations that receive direct financial assistance from DOJ, or as a subgrantee from L&PS of OJP's funding, may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with direct financial assistance from DOJ. (<http://www.ojp.usdoj.gov/ocr/etfbo.htm>). Organizations that participate in programs funded by direct financial assistance from DOJ: (1) cannot discriminate against program beneficiaries on the basis of religion or religious belief in providing services, and (2) cannot compel beneficiaries to participate in inherently religious activities.

The Omnibus Crime Control and Safe Streets Act of 1968, the Violence Against Women Act, and the Juvenile Justice and Delinquency Prevention Act contain express nondiscrimination provisions that prohibit all recipients of federal funding from discriminating on the basis of religion in employment. However, DOJ has concluded that faith-based organizations may consider religion when hiring staff, if the organizations meet certain criteria and apply for and are granted an exemption. Exemptions are granted on a case-by-case basis. Faith-based organizations seeking this exemption will be required to submit the following certification found on the web at:

<http://www.ojp.gov/about/ocr/pdfs/SampleForCompletionByApplicant.pdf>.

Further information is available on DOJ's website,

http://www.ojp.gov/about/ocr/employment_practices.htm.

A. REQUIREMENTS

Applicants are required to comply with the Equal Employment Opportunity Guidelines issued by the U.S. Department of Justice, Office of Justice Programs, and

appearing in the Code of Federal Regulations, 28 C.F.R. §42.301 *et seq.*, Subpart E. These guidelines provide recognition of the fact that “full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component of the Safe Streets Act program to reduce crime and delinquency in the United States.”

In accordance with regulations, development of an Equal Employment Opportunity Program (EEOP) is required by all applicants meeting either of the following criteria. Applicants affected by these criteria will be required to formulate, implement and maintain a written Equal Employment Opportunity Program relating to employment practices affecting minority persons and women. (See Appendix I, Certification of Equal Employment Opportunity Plan). “Minority persons” shall include persons who are Hispanic or Latino, Black or African American, White, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander, or Two or More Races.

B. CRITERIA

1. Each recipient of assistance with the criminal justice system which has fifty (50) or more employees and which has received subgrants of \$25,000 or more since enactment of the Omnibus Crime Control and Safe Streets Act and which has a service population with a minority representation of three percent or more.
2. Where a recipient has fifty (50) or more employees, and has received subgrants of \$25,000 or more, and has a service population with a minority representation of less than three percent. (Applicants in this category must prepare an EEOP on employment practices affecting women, even though less than three percent of its employees are minorities).

C. GUIDELINES

Equal Employment Opportunity Programs in accordance with federal guidelines, must take into consideration the relevant labor market as a basis to provide for full and equal participation regardless of sex or national origin. Equal Employment Opportunity Programs shall include as a minimum:

1. An evaluation of the following factors cross classified by race, sex, and national origin:
 - a. Analysis of the current workforce by race, sex, and national origin in all job categories.
 - b. Analysis of all recruitment and employment selection procedures.
 - c. Analysis of seniority, promotion, and transfer procedures.
 - d. Analysis of external factors, such as available housing and transportation, which may inhibit minority employment.

2. A written program which includes:
 - a. A job classification table indicating numbers of employees; numbers of employees in each classification cross classified by race, sex, and national origin, including rates of pay.
 - b. Disciplinary actions by race, sex, and national origin, including sanctions imposed.
 - c. Number of entrance applicants by race, sex, and national origin and resulting new hires by race, sex, and national origin.
 - d. Number of transfer or promotion applicants by race, sex, and national origin, and number promoted or transferred by race, sex and national origin.
 - e. Number of employees terminated by race, sex and national origin and identification of voluntary or involuntary termination.
 - f. Available labor market characteristics.
 - g. Detailed narrative of existing employment policies, including:
 - i. Necessary steps to be taken to assure full and equal employment opportunity.
 - ii. Recruitment program, if necessary.
 - iii. Plan for dissemination of EEO program.
 - h. Designation of personnel for implementation and maintenance of the program.

Affected applicants must have on file a certificate no more than two years old indicating the existence of such an EEO program. The written EEO plan need not be filed but must be made available for subsequent review and audit. The certification must be included in the subgrant application.

Applicants who employ more than fifty (50) employees and receive a single award of \$500,000 or more (or \$1 million or more in awards within eighteen (18) months) are required to submit an EEOP plan for review and approval to Office of Justice Programs' Office of Civil Rights.

VII. DEBARMENT

All federal programs must include a certification from the Subgrantee that states that it has not been suspended from doing business with any federal department or agency. In addition, the

Subgrantee must assure that a debarment certification will be obtained from any supplier of goods or services who will receive \$25,000 or more in federal funds. This certification from the Subgrantee is included with this guide (See Appendix I, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements). Subgrantees are expected to obtain this certification from subcontractors at or over the \$25,000 level. The federal General Services Administration (GSA) has developed an Excluded Parties List System (EPLS) to assist federal grantees and subgrantees to find out which people, consultants or contractors have been excluded from doing business with the federal government: <https://www.epls.gov>.

Likewise, subgrantees are also expected to comply with state Executive Order 34 (1976), and state OMB 93-13-GSA circular letter regarding debarments, suspensions and disqualifications. The State Department of Treasury has an on-line, searchable database of those individuals, corporations, and agencies who are debarred from conducting business with the State of New Jersey: <http://www.state.nj.us/treasury/debarred>. In the performance of any grant, Subgrantees cannot conduct business with ineligible firms or individuals who are considered debarred, suspended or disqualified.

VIII. LOBBYING ACTIVITIES

All recipients of federal funding must comply with the provisions of the government wide Common Rule on Restrictions on Lobbying. The current edition of OJP Financial Guide discusses prohibitions on lobbying costs (Part III, Chapter 16: Unallowable Costs). Subgrantees and subcontractors are required to disclose lobbying activities pursuant to 31 U.S.C. §1352 by completing the current federal form, Standard Form-LLL(1/96).

The Anti-Lobbying Act, 18 U.S.C. §1913, was amended to expand significantly the restriction on the use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. §1352. No federal funds, either directly or indirectly, can be used to support the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing federal OMB circulars.

A certification from the Subgrantee is included with this guide (See Appendix I, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements).

IX. DRUG-FREE WORKPLACE

Title V, Sec. 5153, of the Anti-Drug Abuse Act of 1988 provides that grantees (State grants only) of federal funds, other than an individual, shall certify (See Appendix I, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements) that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violations of such prohibition;
- B. Establishing a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace;
- C. Maintaining a drug-free workplace policy;
- D. Providing drug counseling, rehabilitation and employee assistance programs; and
- E. Informing employees of penalties for drug abuse violations.

X. SEAT BELT USE BY GOVERNMENT CONTRACTORS, SUBCONTRACTORS AND GRANTEES

Pursuant to 23 U.S.C. §402, 403, and 29 U.S.C. §668, each recipient agency of Federal contracts, subcontracts, and grants shall encourage adoption and enforcement of on-the-job seat belt policies and programs for its employees, contractors, and subrecipients when operating company-owned, rented, or personally owned vehicles.

XI. EMPLOYMENT ELIGIBILITY VERIFICATION

Recipients of Federal funds must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility form (I-9). This form is to be used by the recipient of Federal funds to verify that persons employed by the recipient are eligible to work in the United States.

XII. DATA UNIVERSAL NUMBERING SYSTEM (DUNS)

The Department of Justice requires the gathering of information to comply with the Federal Funding and Accountability and Transparency Act (FFATA) of 2006. FFATA requires the use of a Data Universal Numbering System (DUNS), and Central Contractor Registration (CCR) for each entity applying for a federal award or subaward. Applications without a DUNS number or a current CCR registration are incomplete.

A DUNS number is a unique nine-digit sequence recognized as a unique identifier for tracking federal assistance applicants, recipients, and subrecipients. A DUNS number assignment is free, one-time activity, and can be obtained by applying online at <http://www.dnb.com/us> or by calling 1-866-705-5711.

CCR is the federal government's database for standard information about federal financial assistance applicants, recipients, and subrecipients. Applicants for grants (private non-profits, educational organizations, state and regional agencies, etc.) supported with federal grant funds must register on-line with CCR at <http://www.ccr.gov>. Applicants must update or renew their registration at least once per year to maintain their active status.

Subgrantees must complete a FFATA form, including providing their DUNS number and confirming current registration with CCR, and return it with a completed application package (appendix I). Applicants will be required to provide FFATA information for its vendors and contractors.

FFATA calls for the establishment of a single searchable website that is accessible by the public and includes the following information for each Federal award:

- The name of the entity receiving the award.
- The amount of the award.
- Information on the award including the transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action.
- The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country.
- A unique identifier of the entity receiving award and of the parent entity of the recipient, should the entity be owned by another entity.
- Any other relevant information specified by OMB.

For more information about FFATA, visit the <http://www.usaspending.gov>.

XIII. NEW JERSEY CHARITABLE REGISTRATION INFORMATION

Charitable organizations and professional fund raisers based, operating or soliciting within New Jersey must register with the Division of Consumer Affairs Charities Registration Section unless specifically exempted under the provisions of the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq. also known as the “CRI Act.” Organizations that have been granted 501(c)(3) tax exempt status by the IRS are expected to register. All registered charities are required to renew their registration on an annual basis within six months following their fiscal year-end.

Charities that receive annual gross contributions of \$10,000 or less, religious organizations and schools that file a curricula with the Department of Education are exempt under the CRI Act. Charities at this gross contribution income level are not required to maintain a registration with the Charities Registration Section.

Applicants are required to be in compliance with the CRI Act and must submit proof of compliance or exemption from the CRI Act with the application. For further information about this law, registration forms and instructions, contact the New Jersey Division of Consumer Affairs’ Hotline at (973) 504-6215 or visit the website at <http://www.nj.gov/oag/ca/ocp/charities.htm>.

XIV. NEW JERSEY PENALTIES FOR CORRUPTION OF PUBLIC RESOURCES

While enacting ethics and government corruption reforms, the New Jersey Legislature recently enacted Public Law 2007, Chapter 158, which makes knowingly misusing public resources for an unauthorized purpose a crime. N.J.S.A. 2C:27-12. Under the Crime of Corruption of Public Resources, an individual commits a crime if (1) the public resource “is subject to an obligation to be

used to perform or facilitate the performance of a governmental function or public service,” (2) a person knowingly uses a public resource for an unauthorized purpose, or (3) a person makes “a material representation that is false to a government agency . . . to obtain or retain a public resource, or with the purpose to mislead or deceive any person as to the use or disposition of a public resource.” *Id.* The Legislature defines “public resource” as including grants awarded by the government. *Id.* Convictions under this act could result in a 20-year prison term and \$200,000 fine. *Id.* The Legislature also enhanced public corruption penalties under the Public Corruption Profiteering Penalty Act, N.J.S.A. 2C:30-8, which subject individuals convicted under public corruption laws, including N.J.S.A. 2C:27-12, to fines up to \$500,000.

Likewise, Applicants who make false statements or claims in connection with any OVW grants are subject to federal fines, imprisonment, and debarment from participating in federal grants or contracts, and/or other remedies available by law.

XV. CONFIDENTIALITY AND HUMAN SUBJECTS PROTECTION

U.S. Department of Justice regulations 28 C.F.R. Part 22 require recipients of OJP funding to submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which "information identifiable to a private person" will be collected, analyzed, used, or disclosed. The recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect the confidentiality of identifiable data. 28 C.F.R. §22.23. Federal regulations provide, among other matters, that: "Research or statistical information identifiable to a private person may be used only for research or statistical purposes." 28 C.F.R. §22.21. Moreover, any private person from whom information identifiable to a private person is collected or obtained (either orally or by means of written questionnaire or other document) must be advised that the information will only be used or disclosed for research or statistical purposes and that compliance with the request for information is voluntary and may be terminated at any time. 28 C.F.R. §22.27.

In addition, the Department of Justice has regulations with respect to the protection of human research subjects. Regulations 28 C.F.R. Part 46 require that research involving human subjects that is supported with Federal funds must be reviewed and approved by an Institutional Review Board (IRB), before Federal funds are expended for that research. Persons who participate in Federally-funded research must provide their "informed consent" and must be permitted to terminate their participation at any time. Funding recipients must submit appropriate documents to OJP showing compliance with these federal regulations before spending grant funds on any research activity involving human subjects.

General information regarding Data Confidentiality and Protection of Human Research Subjects (and Model Privacy Certificates and other forms) can be found on the following web sites: www.ojp.usdoj.gov/forms.htm; www.ojp.usdoj.gov/nij/funding/humansubjects/index.html; <http://www.ojp.usdoj.gov/bjs/pub/pdf/bjsmpc.pdf>; and <http://www.ojp.usdoj.gov/bjs/funding.htm>.

XVI. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 MANDATORY REQUIREMENTS

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new website “Recovery.gov” to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

In this State, the Governor created the New Jersey Recovery Accountability Task Force and has created a state website that tracks New Jersey’s Recovery Act funding: <http://www.nj.gov/recovery/index.shtml>.

Successful applicants who are considered recipients of federal Recovery Act funding must comply with various requirements. Additional information for each requirement can be found at <http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm>

The Recovery Act places the following constraints on the use of Recovery funds:

A. WAGE RATE REQUIREMENTS

All recipients should be aware that the Recovery Act contains a provision on wage rate requirements that concerns projects funded or assisted by Recovery Act funds that employ laborers and mechanics. See section 1606 of the Recovery Act, the text of which appears on the “OJP Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm. Federal guidance on this provision is not yet available, but is expected.

B. CONTRACTS

The Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures. As information becomes available, OJP will provide guidance to applicants as to what, if any, particular procurement requirements or procedures may apply to contracts awarded with Recovery Act grant funds, apart from those that appear in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

C. LIMIT ON FUNDS

The Recovery Act specifically provides that funds may not be used by any state or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

D. RECOVERY ACT: USE OF FUNDS IN CONJUNCTION WITH FUNDS FROM OTHER SOURCES

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate, to meet the reporting and other requirements of the Recovery Act and other applicable law. There can be no commingling of funds. (See “Accountability and Transparency under the Recovery Act,” below.)

E. SEPARATE TRACKING AND REPORTING OF RECOVERY ACT FUNDS AND OUTCOMES

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds from non-Recovery Act grants awarded for the same or similar purposes or projects). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Also all personnel whose activities are charged to Recovery VAWA funds must maintain time sheets to document hours worked for activities related to the Recovery Act funds.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

F. REPORTING FRAUD, WASTE, ERROR, AND ABUSE

Each grantee or subgrantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

Potential fraud, waste, abuse, or misconduct may be reported to the U.S. Department of Justice, Office of the Inspector General (OIG) by:

mail: Office of the Inspector General
U.S. Department of Justice Investigations Division
950 Pennsylvania Avenue, N.W. Room 4706
Washington, D.C. 20530

e-mail: oig.hotline@usdoj.gov

hotline: (800) 869-4499 (contact information in English and Spanish)

hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG web site at www.usdoj.gov/oig/.

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to Section 1553 of the Recovery Act.

XVII. SUBGRANTEE OFFICIAL FILE

Subgrantees are required to maintain a master file for subgrant documents. The following documents must be available for on-site review by SOVWA project monitors and auditors:

- A. Copy of approved application for subgrant including subgrant contract, Applicant Information Form, Budget Detail, Applicant Authorization, EEO Certification, Grant Agreement Certification, General Conditions, Special Conditions, and SOVWA budget, copy of award letter, copies of all project modification requests, grant adjustments, and related written approvals from SOVWA;
- B. Copies of all quarterly detailed cost statements, quarterly programmatic progress reports, and annual report;
- C. Personnel information: Copies of all payroll evidence, staff assignment forms, time reports, and certifications;
- D. Equipment: Copies of all purchase orders, receiving documents, bid or competitive quote information, paid vouchers, and inventory data;
- E. Supplies and Operating Expenses: All space contracts and/or certificates, bid information, purchase orders, invoices, and payments;

- F. Renovation and Alteration (applies only to use of facilities as required in the course of narcotics investigation): Copies of all approvals, bids, contracts, records of project completion, and payments;
- G. Travel: Copies of all travel authorizations, travel vouchers, and payments; and
- H. Banking Information: Cash verification, receipts documentation, check register, canceled checks, and bank statements.

XVIII. RECOVERY ACT REPORTING

- A. Consistent with the Recovery Act's emphasis on accountability and transparency, reporting requirements under Recovery Act grant projects differ from and greatly expand upon standard reporting requirements for grants. Section 1512 of the Recovery Act requires the reporting of specific data such as who is receiving Recovery Act funding, how much, what is being funded, completion status and job impact. The Recovery Act imposes strict reporting requirements within short time frames.

Federal Office and Management and Budget (OMB) has developed the reporting framework for data collection, review and analysis on www.FederalReporting.gov. The data will then be posted on www.Recovery.gov for public access.

Guidance for Recovery Act reporting is available in OMB Memorandum M-09-21, Implementing Guidance for the Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act of 2009, dated June 21, 2009. http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21.pdf.

In light of the Recovery Act's Section 1512 reporting and to ensure timely filing of reports with federal OMB, recipients of State of New Jersey's Recovery VAWA grant program are expected to **report monthly to DCJ (even if the report states "0") by the seventh (7th) day of the following month.**

Subgrantees under the New Jersey Recovery VAWA Grant Program must report data according to federal OMB requirements as either a Prime Recipient or as a Sub-Recipient.

- Prime Recipients are recipients of Recovery Act grant from a federal funding agency, such as the State of New Jersey, State Departments, State Divisions and Agencies. State agencies that receive Recovery Act grants from another state agency are considered Prime Recipients.
- Sub-Recipients are recipients of Recovery Act funding from Prime Recipients, such as local units of governments (counties and municipalities), non-profit organizations, and educational institutions that support the performance of any portion of a Prime Recipient Recovery Act program.

- Vendors are dealers, distributors, merchants, or other sellers providing required goods or services to Prime Recipients and Sub-Recipients to conduct a Federal program.

Prime Recipients and Sub-Recipients must report by the 7th day of the following month specific data on their Recovery Act activity and spending, job creation and retention and on their Vendors and Subawards who received pass through Recovery Act funding.

Prime Recipients must report the following data monthly:

- Federal Funding Agency Name
- Award identification
- Recipient D-U-N-S
- Parent D-U-N-S
- Recipient CCR information
- CFDA number, if applicable
- Recipient account number
- Project/grant period
- Award type, date, description, and amount
- Amount of Federal Recovery Act funds expended to projects/activities
- Activity code and description
- Project description and status
- Job creation narrative and number
- Infrastructure expenditures and rationale, if applicable
- Recipient primary place of performance
- Recipient area of benefit
- Recipient officer names and compensation (Top 5)
- Total number and amount of small subawards and vendors less than \$25,000

For each time a Vendor is paid \$25,000 or more, Prime Recipients also must report monthly the following data:

- D-U-N-S or Name and zip code of Headquarters (HQ)
- Expenditure amount
- Expenditure description

Sub-Recipients must report monthly the following data (also referred to as FFATA Data Elements):

- Sub-recipient D-U-N-S
- Sub-recipient CCR information
- Sub-recipient type
- Amount received by sub-recipient
- Amount awarded to sub-recipient
- Sub-award date
- Sub-award period

- Sub-recipient place of performance
- Sub-recipient area of benefit
- Sub-recipient officer names and compensation (Top 5)

On their Vendors, Sub-recipient must report monthly the following data:

- D-U-N-S or Name and zip code of Headquarters (HQ)

Terms for job data collection are as follows:

Objective	Performance Measures	Data the grantee provides for reporting period	Description (Plain language explanation of what exactly is being provided)
Recovery Act: Preserving jobs	Number of jobs saved (by type) due to Recovery Act funding	a) How many jobs were prevented from being eliminated with the Recovery Act funding during this reporting period? b) How many jobs that were eliminated within the last 12 months were reinstated with Recovery Act funding?	An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
Recovery Act: Creating jobs	Number of jobs created (by type) due to Recovery Act funding	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.

The information received from Prime Recipients and Sub-Recipient Reports will be posted quarterly on public websites.

Recovery Act grant recipients may expect that the information posted by OMB will identify subgrantees that are delinquent in their reporting.

Prime Recipients and Sub-Recipients who do not submit required reports by the due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions, including, but not

limited to, restrictions on eligibility for future awards, restrictions on draw-down on other awards, and suspension or termination of the Recovery Act award.

As funding recipients, Subgrantees will receive a standard form to report. OMB's current data model and specific data that will be collected visit can be found at: http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21-supp2.pdf

On-line training on data reporting is available from OMB at: <http://www.whitehouse.gov/Recovery/WebinarTrainingMaterials/>.

Additional instructions and guidance regarding the required reporting and the reporting mechanism will be provided as they become available.

B. PROGRAMMATIC PROGRESS REPORTS

Subgrantees are required to submit **monthly** programmatic progress reports to SOVWA describing project activities for the duration of the award period. Reports are to be submitted to SOVWA within **seven (7) calendar days** of the end the month.

If a subgrant begins less than two weeks before the end of a month, a programmatic progress report is not due for that month. Activities for this shortened period should be accounted for in the subsequent monthly report.

Subgrantees must also submit annual progress reports on grant activities. See <http://muskie.usm.maine.edu/vawamei/formstop.htm#dwnfrm> for a sample form.

C. DETAILED COST STATEMENT–CASH REPORT/CASH REQUEST

Subgrantees are required to submit **monthly** Detailed Cost Statements (DCS). Two original signatures for each DCS fiscal report must be submitted to the SOVWA within **seven (7) calendar days** of the end of each month. A copy of the DCS and instructions for completing the form are included in the Appendices.

Obligations outstanding as of the termination date must be liquidated within **forty-five (45) days**. Such obligations must be related to services provided within the grant period or to goods as specified in the approved project budget. Subgrantees will be required to **submit additional monthly** DCS during the time period in which obligated funds are being liquidated.

Once all obligations are paid and the Subgrantee receives a final payment, the Subgrantee is required to file a Final DCS to document the receipt and expenditure of all grant funds. This Final DCS must be filed within **fifteen(15) calendar days of receipt of final payment**.

IX. BUDGET REVISION AND MODIFICATION

The grant budget is the approved financial plan to carry out the purpose of the grant. This plan is the financial representation of the project as approved during the grant application and award process.

- A. Subgrantees are required to report deviations from the approved budget and receive prior written approvals for budget revisions and modifications in excess of \$100. To request a budget revision, Subgrantees are required to submit a written explanation and a DCJ Form 108, Grant Adjustment Request Form (Appendix IV).
- B. Subgrantees will be required to request a budget revision for the following reasons:
 - 1. Changes in the scope, objective, financial assistance, key personnel, timing of the project or deviations from the approved budget.
 - 2. The need to extend the grant period.
 - 3. To provide financial assistance to a third party by sub-contracting (if authorized by law) or by another means to obtain the services of a third party to perform activities which are central to the purpose of the award.
 - 4. Adjustments between cost categories and/or shifts of funding to direct cost categories that are not part of the approved budget.
 - 5. Revisions which involve the transfer of amounts budgeted for indirect costs to absorb increases in direct costs.
- C. When requesting approval for budget revisions in excess of \$100, the Subgrantee shall clearly show the change in cost categories and use the Grant Adjustment Request Form, DCJ Form 108 (see Appendix IV).

XX. SUBGRANTEE FISCAL RESPONSIBILITY

The Subgrantee shall be responsible for maintaining a bookkeeping system, records, and files to account for all grant monies spent and all matching funds contributed to the project. While a preferred system is not specified, Subgrantees are expected to conform to accepted accounting standards.

DCJ fiscal staff will be available to Subgrantees to provide technical assistance with respect to fiscal administration of the subgrants.

A. GENERAL CONDITIONS

Special consideration should be given to the following general conditions pertaining to the administration of subgrants:

1. FISCAL CONTROL AND FUND ACCOUNTING PROCEDURES

Such processes will be established which assure proper disbursements of, and accounting for, grant funds and required non-federal expenditures.

2. ACCOUNTING PROCEDURES

Accounting procedures must provide for an accurate and timely recording of receipt of funds by source, expenditures made from such funds, and unexpended balances. Controls will be established to ensure that expenditures charged to subgrant activities are readily available to certify that such charges are accurate.

3. AUDIT REQUIREMENTS

Recipients of federal or state funds must comply with federal and state audit requirements. (Federal, OMB Circular No. A-133 Revised and State Department of the Treasury, Circular Letter 04-04-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid). LPS may require the submission of an "Audit Requirements Form." (Appendix I).

- a. For applicants that receive State financial assistance, (which consists of funds received directly from the State of New Jersey, but does not include federal pass-through funds), of \$100,000 or more is expended by the applicant agency, applicants annually must have either,
 - b. financial statement audit performed in accordance with Government Auditing Standards (Yellow Book) or
 - c. program-specific audit performed in accordance with OMB Circular No. A-133 Revised and state policy.
- d. For applicants that receive Federal financial assistance, (which consists of funds received from the Federal Government or federal funds passed through state agencies), of \$500,000 or more is expended by the applicant agency, applicants annually must have:
 - i. single audits performed, or
 - ii. program-specific audits performed in accordance with OMB Circular No. A-133 Revised and state policy.
- e. For applicants who receive less than \$100,000 of state financial assistance or less than \$500,000 of federal financial assistance is expended, no audit is required. However, the Chief Financial Officer of the agency must attest to the adequacy of the applicant's accounting system. (Accounting System and Financial Capability Questionnaire).

- f. Recipients of Recovery Act funds - - Recovery VAWA funds - - must separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. Expenditures for Federal awards made under the Recovery Act must be identified separately on the SEFA form, and as separate rows under Item 9 of Part III on the SF-SAC form by CFDA number, and inclusion of the prefix “ARRA-” in identifying the name of the Federal program on the SEFA form and as the first characters in Item 9d of Part III on the SF-SAC form. Recipients are required to specifically identify Recovery Act funding on their SEFA forms.

4. RETENTION OF RECORDS

Financial records of the grantee and its Subgrantees and contractors, including books of original entry, source documents, supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records, must be retained for a period of at least seven years. The retention period starts from the date of the receipt of the final expenditure report.

Records must be retained beyond the seven-year period if an audit is in progress and/or findings of a completed audit have not been resolved satisfactorily. If an audit is completed and the findings are resolved prior to the seven-year period, Subgrantees must receive prior approval from SOVWA before disposing of any documents relating to the subgrants.

Any applicant receiving Recovery VAWA funds shall make available to U.S. Department of Justice, Federal Government Accountability Office, Federal Office of the Inspector General, New Jersey’s Department of Law and Public Safety, Division of Criminal Justice, and other state agencies access to and the right to examine all records (including, but not limited to, books, papers, documents and electronic) related to the Recovery VAWA award, including such records of any contractor or subcontractor. In addition, applicants shall allow and permit these agencies to interview any officer, employee, contractor or grantee.

5. FUND PAYMENT

All payments made to the Subgrantee will be recorded by the Subgrantee in accounting records separate from all other fund accounts, including funds derived from other grant awards. Amounts paid shall be available for expenditure by the Subgrantee in accordance with the provisions of the subgrant throughout the project period subject to such conditions as SOVWA may prescribe.

6. USE OF SUBGRANT FUNDS

Funds granted may be used only for the purpose required to carry out the grant as approved and identified in the “Notice of Award.” Any deviation in the total approved project budget of \$100 or more, within or between budget categories, requires prior written approval of SOVWA.

Subgrantees may, without prior approval, deviate from a budget category when the change, either between or within the category, does not exceed \$100. The Subgrantee is required to notify SOVWA staff of this change on the remarks section on the Detailed Cost Statement (DCS).

Deviations from the approved project budget within a budget category exceeding \$100 must be requested by letter prior to the expenditure of funds. When the deviation exceeds \$100 and is between budget categories, a Grant Adjustment Request Form must be submitted requesting prior approval (See Appendix IV).

Once approval is granted to deviate from the approved project budget in excess of \$100, the requested operating budget becomes a new base against which the \$100 flexibility is applied.

7. PROJECT INCOME (MONIES RECEIVED AND EXPENDED)

All interest or other income earned by the Subgrantee with respect to subgrant funds or as a result of conduct of the project (sale of publications, registration fees, service charges on fees, etc.) is deemed project income. Any forfeiture funds received by the project to support project activities must also be reported as a separate information item. According to State Circular 07-05-OMB, project income includes any interest earned of \$250 or more in a fiscal year on advances of grant funds.

Project income must be added to funds committed to the project to further eligible project objectives.

In addition, the amount of these funds expended during the current report period must be reported. All project income must be accounted for and the use of project income must be shown on the **detailed cost statements** and included in the final fiscal report. For further guidance on accounting for and reporting project income, consult OJP Financial Guide, Part III, Chapter 4, Program Income, and as applicable, either 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and OMB Circular A-110 (2 C.F.R. Part 215).

8. OBLIGATION OF GRANT FUNDS

Grant funds may not, without advance written approval by SOVWA, be obligated prior to the effective date or subsequent to the termination date of the

grant period. Obligations outstanding as of the termination date must be liquidated within **forty-five (45) days**. Such obligations must be related to services provided within the grant period or to goods as specified in the approved project budget. Subgrantees will be required to submit additional monthly DCS during the time period in which obligated funds are being liquidated.

9. RETURN OF UNOBLIGATED FUNDS

Funds that remain unobligated at the end of the fiscal budget period shall be returned to SOVWA within **forty-five (45) days** after the end of such budget period.

B. ALLOWABLE COSTS

Costs which have been deemed allowable by Federal Management Circular FMC 74-4, the current edition of the OJP Financial Guide, and those which appear within the Applicant's Guide, are acceptable.

C. FISCAL REQUIREMENTS

1. A **separate account** for the subgrant project with separate accountability of receipts, expenditures, and balances for each fiscal budget period.
2. Itemization of all supporting records of grant receipts, expenditures and state/local contributions (if applicable) in sufficient detail to show exact nature for each fiscal budget period.
3. Provision of data and information for each expenditure and state/local contributions with proper reference to a supporting voucher or bill properly approved.
4. Maintenance of payroll authorizations and vouchers.
5. Maintenance of a time-reporting system for personnel charged to the grant and state/local contributed services (if applicable).
6. Maintenance of records supporting charges for fringe benefits.
7. Maintenance of inventory records for equipment purchased, rented, and contributed.
8. Provisions for payment by check.
9. **All personnel whose activities are charged to Recovery VAWA funds must maintain time sheets to document hours worked for activities related to the Recovery Act funds.**

10. **All Recovery Act funds must be tracked, accounted for and reported separately from all other funds an agency receives.**

XXI. MONITORING OF PROJECT PERFORMANCE

- A. The Subgrantee must assure compliance that performance goals are being achieved. Subgrantee monitoring must cover each project, function or activity to monitor performance under grant supported activities to assure time schedules and objectives are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved as applicable.
- B. The Subgrantee shall inform SOVWA of the following types of conditions which affect project objectives and performance as soon as they become known:
1. Problems, delays, or adverse conditions which will materially impair the ability to attain project objectives, prevent meeting time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any SOVWA assistance required to resolve the situation.
- C. SOVWA may, at its discretion, make site visits to:
1. Review project accomplishments and management control systems.
 2. Provide such technical assistance as may be required.
 3. Perform fiscal reviews to ensure grant funds are being properly expended in a timely manner.

XXII. REGULATIONS FOR LOCAL UNITS OF GOVERNMENT

The following budgetary and accounting procedure issued by the Director, Division of Local Government Services, Department of Community Affairs, should be observed in the development of subgrant budgets for all counties and municipalities which receive grant awards administered through DCJ.

- A. All DCJ grants shall be processed through the budget of the local unit at the time of the adoption of the budget or by a budget amendment utilizing N.J.S.A. 40A:4-87. No such grants shall be accounted for through the "Trust Fund" as dedication by rider.
- B. All such grants shall be designated in the (state) budget as follows:

REVENUE: DCJ Grant-Subgrant No. _____

APPROPRIATION: Unclassified:
DCJ Grant-Subgrant No. _____

- C. The appropriation shall be a separate line item without a designation as to “Salaries and Wages” and “Other Expenses” and shall not be made a part of any existing appropriation.
- D. The revenue, when anticipated at the time that the budget of a local unit is introduced, shall be a “Special Item of Revenue with Prior Written Consent of the Director of Local Government Services.”
- E. Since DCJ grants, in most instances, cover a fiscal year other than as provided by statute for New Jersey local units, the appropriation as budgeted may be set up as a “Reserve” from which commitments and charges can be made beyond the calendar year. The revenue anticipated can be fully realized with any amount not received which is set up as a receivable and pledged to surplus. However, it is the determination of the Director of Local Government Services that the portion of non-cash surplus attributed to the receivable will not be allowed to be anticipated in the following year’s budget as surplus. This requires prior written consent of the Director of Local Government Services, Department of Community Affairs, P.O. Box 800, Trenton, N.J. 08625.

RVAWA rev 10/09

APPENDIX

SUBGRANT APPLICATION FORMS

- Subgrantee Check List
- Application Overview
- Applicant Information Form
- Agency Information Form
- ✓ Application Authorization

Section A: Project Narratives
Project Budget Detail Form
Project Budget Narrative

Section B: ✓ Certification of Equal Employment Opportunity Plan
✓ General Conditions and Assurances
✓ Recovery Act Conditions
✓ Grant Agreement Certification
✓ Certifications Regarding Lobbying, Debarment, Suspension and Other
Responsibility Matters and Drug-free Workplace Requirements
✓ Resolution of Participation and Certification of Recording Officer
✓ Federal Financial Accountability & Transparency Act Information Form

Note: ✓ requires signature of Authorized Officer

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

SUBGRANTEE CHECK LIST

SUBGRANTEE: _____

GRANT NUMBER: _____

INSTRUCTIONS: **The Application Check List is provided to serve as a guide to ensure the submission of a complete application.**

Return one original (with original signatures) and two copies of the completed application.

APPLICATION:

_____ **Application Overview**

_____ **Applicant Information Form**

_____ **Agency Information Form**

_____ **Application Authorization**

Section A:

_____ Project Narratives

_____ Project Budget Detail Form

_____ Project Budget Narrative describing each category of the budget listed on Budget Detail Form

Section B:

_____ Certification of Equal Employment Opportunity Plan (Complete and Sign attached form)

_____ General Conditions and Assurances Applicable to Grants Awarded (Sign attached form)

_____ Recovery Act Conditions

_____ Grant Agreement Certification (Complete and Sign attached Certification)

_____ Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements (Complete and Sign attached Certification)

_____ Resolution of Participation **and** Certification of Recording Officer **Signed & Sealed** by Recording Officer (Complete and Sign attached forms) **Not Applicable to State Agency Grants**

_____ Federal Financial Accountability and Transparency Act Information Form (Complete and Sign attached form)

NOTE: **ONLY COMPLETE APPLICATIONS CAN BE PROCESSED. IT IS IMPORTANT THAT ALL OF THE ABOVE-CITED ITEMS BE SUBMITTED WITH THE APPLICATION.**

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

APPLICATION OVERVIEW

Name of Applicant: _____

Title of Project: _____

Amount Applied for: \$ _____

Type of Agency: **State** **County** **Municipality** **Nonprofit**

What County is your agency located in: _____

Type of Project: **New** **Continuing**

Have you been designated by the Department of Community Affairs, Division on Women as the lead **sexual assault agency** in your county? **Yes** **No**

Have you been designated by the Department of Children and Families, Division of Youth and Family Services as the lead **domestic violence agency** in your county? **Yes** **No**

**State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)**

Applicant Information Form

Project Duration Period (when to when):	Grant No.:
---	------------

Official Name of Applicant Agency:		
Address:		
City/State:	Zip Code:	County:

Implementing Agency (if different than applicant):		
Agency Website:	Fiscal Year Start Date:	Federal ID Number:
Charitable Registration Number (if non profit & not exempt):		
Have there been any findings filed against the agency in regard to its charitable status? Yes No If yes, please explain on a separate sheet.	New Jersey Business Registration Certificate:	

Name and Title of Chief Executive/Agency Director:			
Street Address, City, State, Zip Code (if different from above):			
Telephone:	Ext.	Email:	Fax:

Name and Title of Project Director:			
Street Address, City, State, Zip Code (if different from above):			
Telephone:	Ext.	Email:	Fax:

Name and Title of Contact Person:			
Street Address, City, State, Zip Code (if different from above):			
Telephone:	Ext.	Email:	Fax:

Name and Title of Chief Financial Officer:			
Street Address, City, State, Zip Code (if different from above):			
Telephone:	Ext.	Email:	Fax:

Name and Title of Fiscal Contact Person:			
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Street Address, City, State, Zip Code (if different from above):			
Telephone:	Ext.	Email:	Fax:

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
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Agency Information Form

Name of Agency/Applicant: _____

Project Title: _____

Answer Questions about Agency-wide Services/Activities <i>(not limited to Project specific services/activities addressed in this application)</i>	
<u>Core Services</u>	
Emergency/crisis response Criminal Justice advocacy Legal advocacy Courtroom advocacy Housing advocacy Financial advocacy Legal services Emergency financial assistance In person information/referral Telephone information/referral Economic development/networking services for victims Services for the children of victims (e.g., babysitting, recreation, etc.) Shelter If checked - indicate the number of beds available _____ Transitional Housing If checked - indicate the number of family housing units _____	Long term counseling Short term counseling Support groups Victim outreach Community Education Hotline
Indicate if your agency has programs for the following types of crime victims:	
DWI Neglected or abused children Domestic violence	Homicide Sexual Assault Human Trafficking

State of New Jersey
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APPLICATION AUTHORIZATION

Authorization to submit application to the Department of Law and Public Safety, Division of Criminal Justice for a project entitled:

at an estimated total project cost of \$_____. Grant # _____

The undersigned agrees upon approval of this project on behalf of the unit of government, to comply with the conditions applicable to grants awarded. The undersigned's signature indicates that the information provided within the application is accurate and complete and that the applicant intends to comply with all conditions applicable to subgrants awarded pursuant to the American Recovery and Reinvestment Act of 2009, the Violence Against Women Act of 1994, as reauthorized, STOP Violence Against Women Formula and Discretionary Grants Program Final Rule, Omnibus Crime Control and Safe Streets Act of 1968 and regulations, and OVW guidelines. Further, the undersigned makes the assurances concerning non-supplanting of local funds with state and federal funds.

This application consists of the following attachments in addition to this form:

1. Project Narratives,
2. Project Budget Detail,
3. Budget Narrative,
4. Certification of Equal Employment Opportunity Plan,
5. General Conditions & Assurances,
6. Grant Agreement Certification,
7. Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements,

8. Resolution of Participation and Certification of Recording Officer, and
9. Federal Financial Accountability and Transparency Act Information Form.

As the duly authorized representative of the applicant-subgrantee, I hereby certify that the applicant-subgrantee will comply with the above-referenced provisions. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signature

Printed Name

Governing Body

Title (Freeholder-Director, County Executive, State Department Head)

Date

Grant # _____

Applicant: _____

Budget Detail Form

COST ELEMENT				Federal Share	Match Share	Project Total
A. Personnel						
1. Salaries and Wages						
Position	Name	% of time	Current Annual Salary			
			Sub-Total Salaries and Wages			
2. Fringe						
Position	Name	Agency Fringe Rate				
			Sub-Total Fringe Benefits			
			Total Salaries & Fringe Benefits			

Applicant: _____

Budget Detail Form

COST ELEMENT	Federal Share	Match Share	Project Total
<p>B. Purchase of Services</p> <p>1. Contracting of Service Organizations and Associations (list each by type with fee basis and amount of time devoted.)</p> <p>2. Instructional costs for training seminars.</p> <p>3. Other Costs for professional services, i.e., psychological/social services.</p> <p style="text-align: right;">Total Purchase of Services</p>			

Applicant: _____

Budget Detail Form

COST ELEMENT	Federal Share	Match Share	Project Total
C. Travel, Transportation, Subsistence			
Total Travel			
D. Consumable Supplies, Postage, Printing.			
Total Consumable Supplies			
E. Facilities, Office space, Utilities, Equipment Rental.			
Total Facilities			

Applicant: _____

Budget Detail Form

COST ELEMENT	Federal Share	Match Share	Project Total
F. Equipment List: (or explain in attached budget narrative)			
G. Victim Aid			
<p style="text-align: right;">Total Equipment</p> <p style="text-align: right;">Total Victim Aid</p> <p style="text-align: right;">Total Project Costs</p>			

CERTIFICATION FORM

Recipient Name and Address: _____

Grant Title: _____ Grant Number: _____ Award Amount: _____

Contact Person Name and Title: _____ Phone Number: () _____

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R. §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement, must complete **Section B** below. **A recipient should complete either Section A or Section B, not both.** If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202) 307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. *Please check all the boxes that apply.*

- Recipient has less than 50 employees,
- Recipient is an Indian tribe,
- Recipient is a non-profit organization,
- Recipient is an educational institution, or
- Recipient is a medical institution,
- Recipient is receiving an award less than \$25,000

I, _____ **[responsible official]**, certify that _____ **[recipient]** is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. §42.302. I further certify that _____ **[recipient]** will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title

Signature

Date

Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ **[responsible official]**, certify that the _____ **[recipient]**, which has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 C.F.R. §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of: _____ **[organization]**, at _____ **[address]**, for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title

Signature

Date

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

GENERAL CONDITIONS AND ASSURANCES

1. The Subgrantee agrees that funds made available under the STOP Violence Against Women Act (VAWA) Grant Program will not be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of grant funds, be made available for services provided to victims of crime.
2. The Subgrantee agrees to comply and assure the compliance of its contractors with the financial and administrative requirements set forth in the current edition of U.S. Department of Justice, Office of Justice Programs *Financial Guide* (available on the web at: <http://www.ojp.usdoj.gov/financialguide/>) (OJP Financial Guide) and the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the Juvenile Justice and Delinquency Prevention Act; the Violence Against Women Act of 1994, as reauthorized, the STOP Violence Against Women Formula and Discretionary Grants Program Final Rule, the provision of the current edition of the U.S. Department of Justice, Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1 as supplemented and amended; and all other applicable federal laws, orders, circulars, or regulations.
3. The Subgrantee agrees that grant funds may be used to pay for data collection, analysis and report preparation only if that activity is associated with federal reporting requirements. Other data collection, analysis, and evaluation activities are not allowable uses of grant funds.
4. The Subgrantee agrees to comply with all requirements imposed by the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW), New Jersey Attorney General, Department of Law and Public Safety (L&PS), and the Division of Criminal Justice (DCJ) concerning all federal, state, municipal laws, rules, regulations, policies, guidelines, directives, and requirements (including licenses, permits and background checks) that are generally applicable to the activities in which the subgrantee is engaged in the performance of this grant. Failure to comply with these laws, rules, regulations, and state circulars will be grounds for termination of this subaward.

5. The Subgrantee assures that it possesses legal authority to apply for the grant; that, if applicable, a resolution or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required. The Subgrantee assures that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
6. The Subgrantee agrees to comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, 42 U.S.C. §4601 et seq., which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
7. The Subgrantee agrees to comply with provisions of the Hatch Act, the federal law which limits certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by federal grants. 5 U.S.C. §1501-08 and §7324-28.
8. The Subgrantee understands and agrees that, in compliance with the Anti-Lobbying Act, 18 U.S.C. §1913, and with the Limitations, Exceptions and Penalties on the Use of Appropriated Funds law, 31 U.S.C. §1352, it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the U.S. Department of Justice (DOJ).
9. The Subgrantee understands and agrees to comply with the federal Executive Order 12549 on Debarment and Suspension, implemented at 28 C.F.R. Part 67, and state Executive Order 34 (1976), and state OMB 93-13-GSA circular letter regarding Debarments, Suspensions & Disqualifications. Subgrantee and its subcontractors will not conduct business with ineligible firms or individuals who are considered debarred, suspended or disqualified.
10. The Subgrantee agrees to comply with the minimum wage and maximum hours provision of the Federal Fair Labor Standards Act.

11. The Subgrantee will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
12. The Subgrantee agrees to give the United States Comptroller General, DOJ, OVW, L&PS, and DCJ through any authorized representative, access to and the right to examine all paper and electronic records, books, papers, and documents related to the grant including pertinent accounting records, books, documents, and papers as may be necessary to monitor and audit the Subgrantee's operations. L&PS reserves the right to have access to all work papers produced in connection with audits made by the Subgrantee or independent certified public accountants, registered municipal accountants, or licensed public accountants hired by the Subgrantee to perform such audits.
13. The Subgrantee will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969, 42 U.S.C. §4321, and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972, 16 U.S.C. §1451 et seq., and the Coastal Barrier Resources Act, 16 U.S.C. §3501 et seq., which limits federal expenditures affecting the Coast Barrier Resources System; (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. §7401 et seq.; (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, 42 U.S.C. §300f et seq., as amended; and, (h) protection of endangered species under the Endangered Species Act of 1973, 16 U.S.C. §1531, as amended.
14. The Subgrantee agrees to comply, if applicable, with the flood insurance purchase requirements of Section 102 (1) of the Flood Disaster Protection Act of 1973, Pub. L. 93-234, 87 Stat. 975, approved December 31, 1976, §102 (a), 42 U.S.C. §4001 et seq., which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. The Subgrantee agrees to assist DOJ and OVW in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. §470; Executive Order 11593, the Archeological and Historical Preservation Act of 1974, 16 U.S.C.

§469a-1 et seq.; and the National Environmental Policy Act of 1969, 42 U.S.C. §4321, by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 C.F.R. Part 800.8) by the activity, and notifying DOJ and OVW of the existence of any such properties, and by (b) complying with all requirements established by DOJ and OVW to avoid or mitigate adverse effects upon such properties.

16. The Subgrantee agrees to comply and assure the compliance of its contractors, with all lawful requirements imposed by DOJ, OVW, including any applicable regulations such as Title 28, Judicial Administration, Chapter I, Department of Justice: Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative, Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Program Activities; Part 42, Non-discrimination Equal Employment Opportunity Policies and Procedures; Part 46 and all Office of Justice Program Policies and procedures regarding the protection of human research subjects, including obtaining of Institutional Review Board approval, if appropriate, and subject informed consent; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Flood plain Management and Wetland Protection Procedures, and federal laws and regulations applicable to Federal Assistance Programs; Part 66, Uniform Administrative Requirement for Grants and Cooperative Agreements to State and Local Governments; and Part 70, Uniform Administrative Requirement for Grants and Cooperative Agreements (Including Subawards) with institutions of Higher Education, Hospitals and Non-profit Organizations.
17. The Subgrantee agrees to comply and assure the compliance of its contractors, with any applicable statutorily imposed non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. §3789d(c); the Violence Against Women Department of Justice Reauthorization Act of 2005, 42 U.S.C. §13925; the Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. §5672(b); the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000d et seq.; the Rehabilitation Act of 1973, as amended; 29 U.S.C. §794, the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. §12131-34; the Education Amendments of 1972, 20 U.S.C. §1681, 1683, 1685-86; the Age Discrimination Act of 1975, 42 U.S.C. §6101-07; the Drug Abuse Office and Treatment Act of 1972, as amended, relating to nondiscrimination on the basis of drug abuse; the Comprehensive Alcohol Abuse and

Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, 42 U.S.C. §12114 et seq., as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; §523 and 527 of the Public Health Service Act of 1912, 42 U.S.C. §290 dd-2 and 290 ee3, as amended, relating to confidentiality of alcohol and drug abuse patient records; Title VIII of the Civil Rights Act of 1968, 42 U.S.C. §3601 et seq., as amended, relating to nondiscrimination in the sale, rental or financing of housing; any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, the requirements of any other nondiscrimination statute(s) which may apply to the application, and the Department of Justice Non-discrimination Regulations, 28 C.F.R. Part 42, Subparts, C, D, E, and G; the Department of Justice regulations on disability discrimination, 28 C.F.R. Part 35, Part 38, Part 39; and the Department of Justice, Policy Guidance Document, “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons,” 67 F.R. 41455 (June 18, 2002); see Ex. Order 13279 (equal protection of the laws for faith-based and community organization).

18. The Subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, it will forward a copy of the finding to OJP’s Office for Civil Rights and DCJ.
19. The Subgrantee agrees that if required to formulate an Equal Employment Opportunity Program (EEOP) in accordance with 28 C.F.R. §42.301 et seq., it will maintain a current one on file, and where the proposed subgrant is for \$500,000 or more (or receives an aggregate of \$1,000,000 in federal grant funds in an 18-month period), the Subgrantee will provide a copy of the EEOP to OJP’s Office for Civil Rights.
20. The Subgrantee acknowledges that failure to submit an acceptable EEOP (if required to submit pursuant to 28 C.F.R. §42.302), that is approved by the Office of Civil Rights, OJP, is a violation of its General Conditions and may result in suspension or termination of funding, until such time as the Subgrantee is in compliance.
21. The Subgrantee agrees to comply with the provisions of DOJ’s regulations concerning Equal Treatment for Faith-based Organizations, 28 C.F.R. Part 38. Organizations that receive direct financial assistance from DOJ may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with direct financial assistance from DOJ. Organizations that

participates in programs funded by direct financial assistance from DOJ (1) cannot discriminate against program beneficiaries on the basis of religion or religious belief when in providing services, and (2) cannot compel beneficiaries to participate in inherently religious activities.

22. The Subgrantee certifies that Limited English Proficiency (LEP) persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI and the Safe Streets Act, Subgrantees 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 Subgrantees to help comply with Title VI requirements. The guidance document can be accessed on the Internet at <http://www.lep.gov>.
23. The Subgrantee agrees that DOJ, OVW, L&PS, and DCJ reserve a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use: the copyright in any work developed from activities supported by this grant, and any rights of copyright from a Subgrantee's purchase of ownership with support from this grant. The Subgrantee agrees that L&PS reserves the right to require the Subgrantee not to publish any work, which right shall not be exercised unreasonably. The Subgrantee assures that any publication by the Subgrantee shall include, on the title page, a standard disclaimer of responsibility by L&PS for any opinions or conclusions contained therein.
24. The Subgrantee agrees to submit the final draft of any publication, product, or electronic information at least 120 days before the end date of the grant for OVW review. The Subgrantees agrees to use grant funds to make any substantive corrections, if appropriate, to a publication or product in response to comments generated through either the OVW peer review process or the internal DOJ review process. Any grant-funded products (written, Web-based, audio-visual, or any other media format), whether produced at the Subgrantee's or government's expense, shall contain the following statement:

“This project was supported by Grant No. _____ awarded by the Office on Violence Against Women, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.”

The Subgrantee agrees to follow the current edition of the OJP Financial Guide for allowable printing activities.

25. The Subgrantee agrees that it may not disseminate drafts of training curricula and other grant-supported material beyond prior testing of the material, unless otherwise specifically approved of by OVW in writing in advance. Such materials must be clearly marked “DRAFT” and the OVW disclaimer must be included on such documents. The OVW logo shall not be displayed until the document is final and has been approved by OVW for final publication or electronic dissemination.

26. The Subgrantee agrees that any Web site that is funded in whole or in part under this grant must include the following statement on the home page, on all major entry pages (i.e., pages (excluding documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:

“This Web site is funded, in part, through a grant from the Office on Violence Against Women, Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).”

27. The Subgrantee agrees to assist OVW in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a Subgrantee. Accordingly, prior to obligating grant funds, the Subgrantee agrees to first determine if any of the following activities will be related to the use of the grant funds. The Subgrantee understands that this general condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity being conducted by the Subgrantee, or any third party, and the activity needs to be undertaken in order to use these grant funds, this general condition must first be met. The activities covered by this general condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property either (i) listed on or eligible for listing on the National Register of Historic Places, or (ii) located within a 100-year flood plain;
- c. A renovation, lease, or any proposed use of a building or facility that will either (i) result in a change in its basic prior use or (ii) significantly change its size; and,

- d. Implementation of a new program involving the use of chemicals other than chemicals that are (i) purchased as an incidental component of a funded activity, and (ii) traditionally used, for example, in office, household, recreational, or education environments.
28. For any of the Subgrantee's existing programs or activities that will be funded by these grant funds, the Subgrantee agrees to cooperate with OVW in any preparation by OVW of a national or program environmental assessment of that funded program or activity.
29. The Subgrantee agrees to comply with all confidentiality requirements of 42 U.S.C. §3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The Subgrantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
30. If a project is not operational within sixty (60) days of the original start date of the award period, the Subgrantee must report by letter to L&PS and DCJ of the steps taken to initiate the project, the reasons for the delay, and the expected start date. If a project is not operational within ninety (90) days of the original start date of the award period, the Subgrantee must submit a second statement to L&PS and DCJ explaining the implementation delay. Upon receipt of the 90-day letter, L&PS and DCJ may cancel the project and request the federal agency approval to redistribute the funds to other project areas. L&PS and DCJ may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period. When this occurs, the appropriate subaward files and records must so note the extension.
31. The Subgrantee agrees, to the greatest extent practicable, that all equipment and products purchased with grant funds should be American made.
32. Pursuant to Executive Order 13043, 62 Fed. Reg. 19217 (1997), each recipient agency of Federal contracts, subcontracts, and grants shall encourage adoption and enforcement of on-the-job seat belt policies and programs for its employees, contractors, and subrecipients when operating company-owned, rented, or personally owned vehicles.
33. Organizations funded under this federal grant program must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility form (I-9). This form is to be used by the recipient of Federal Funds to verify that persons employed by the recipient are eligible to work in the United States.

34. The Subgrantee assures that it will comply, and all of its contractors will comply with the requirements of the state's anti-discrimination and affirmative action laws and regulations, including N.J.A.C. 17:27, applicable provisions of N.J.S.A. 10:5, et al., and P.L. 1975, c. 127 and all implementing regulations. Failure to comply with these laws, rules, regulations, and state circulars will be grounds for termination of this subaward.
35. The Subgrantee shall not subcontract any of the work or services covered by this grant, nor shall any interest be assigned or transferred except as may be provided for in this grant or with the express written approval of L&PS.
36. The Recipient shall recognize and agree that both the initial provision of funding and the continuation of such funding under the Grant Agreement are expressly dependent upon the availability to the Department of Law and Public Safety (Department) of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable and, in addition, if the Subgrantee's program is deemed a priority by the New Jersey Attorney General. A failure of the Department to make any payment under this Grant Agreement or to observe and perform any condition on its part to be performed under the Grant Agreement as a result of the failure of the Legislature to appropriate shall not in any manner constitute a breach of the Grant Agreement by the Department or an event of default under the Grant Agreement and the Department shall not be held liable for any breach of the Grant Agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from the Department beyond the duration of the award period set forth in the Grant Agreement and in no event shall the Agreement be construed as a commitment by the Department to expend funds beyond the termination date set in the Grant Agreement.
37. The Subgrantee agrees that all income earned by the Subgrantee from grant-supported activities is deemed program income. The Subgrantee agrees to add program income to funds committed to the program to further eligible program objectives. The Subgrantee agrees to comply with OJP Financial Guide, Part III Chapter 4: Program Income, and as applicable, either (1) 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and federal OMB Circular A-110, on the use, disposition, accounting and reporting for program income. (The use of program income must be shown on the detailed cost statements). State 07-05-OMB Circular defines program income to include any interest earned of \$250 or more in a fiscal year on advances of grant funds.

38. The Subgrantee agrees to maintain an adequate financial management system in accordance with generally accepted principles of accounting. The Subgrantee shall maintain accurate and current financial reports, accounting records, internal controls, budget controls, and cash management procedures for receiving, holding, and expending grant funds. The Subgrantee shall maintain accurate and complete disclosure of financial results of each subgrant in the Detailed Cost Statements (DCS), have procedures to determine allowable costs, and provide source documentation for financial records.
39. As required under the federal Single Audit Act of 1984, Pub. L. 98-502, as amended, the Subgrantee agrees to comply with the organizational audit requirements of Federal OMB Circular, A-133, Audits of States, Local Governments and Non-Profit Organizations, as further described in OJP Financial Guide, Part III Chapter 19, Government Accountability Office's Government Auditing Standards (Yellow Book), and the State of New Jersey, Department of Treasury, Circular Letter (State Circular Letter) 04-04-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid Payments. The Subgrantee agrees to submit to DCJ any copies of any exceptions and/or findings regarding this project as a result of a single audit. The Subgrantee immediately will report to DCJ any changes in its fiscal year.
40. The Subgrantee agrees that grant funds will be used only for allowable costs as determined according to applicable federal cost principles specific to the Subgrantee (e.g., Federal OMB Circular A-21 (2 C.F.R. Part 220), A-87 (2 C.F.R. Part 225), A-102, A-110 (2 C.F.R. Part 215), A-122 (2 C.F.R. Part 230), A-133, etc.), according to OJP Financial Guide, Part III Chapter 7: Allowable Costs, and State Circular Letter 07-05-OMB, Standard Grant Agreement Form, X. Allowable Costs.
41. The Subgrantee agrees that property furnished by L&PS or acquired in whole or in part with federal or L&PS funds or whose cost was charged to a project supported by federal or L&PS funds shall be utilized and disposed of in a manner generally consistent with state and federal requirements.
42. The Subgrantee agrees that procurement of supplies, equipment, and other services with funds provided by this grant shall be accomplished in a manner generally consistent with federal and state requirements. Adherence to the standards contained in the applicable federal and state laws and regulations does not relieve the Subgrantee of the contractual responsibilities arising under its procurement. The Subgrantee is the responsible authority, without recourse to L&PS, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurement entered in support of a grant.

43. The Subgrantee agrees that it will maintain data and information and submit timely reports, including programmatic progress and financial reports, as L&PS may require. If reports are not submitted as required, the L&PS may, at its discretion, suspend payments on this subgrant. The State of New Jersey may, at its discretion, take such action to withhold payments to the Subgrantee on this or any grant with other state agencies until the required reports have been submitted.
44. Unless otherwise directed by DCJ, state or federal statute, all grant records shall be retained for a period of seven years. This period is extended until otherwise directed if there is any litigation, claim, negotiation, action, or audit finding involving grant records is started before the end of the seven year period.
45. The Subgrantee agrees to report any Budget Revisions or Grant Extensions as follows:
 - a. Any deviations from the approved budget or extensions in the grant period require prior approval via Division of Criminal Justice (DCJ) Form 108, Grant Adjustment Request Form. Subgrantee should be aware that approved budget revisions may result in the imposition of additional special conditions.
 - b. L&PS may request changes in the scope of services of the Subgrantee to be performed hereunder. Such changes, which are mutually agreed upon by and between L&PS and the Subgrantee must be incorporated in written amendments to this grant.
 - c. If the Subgrantee is making program expenditures or providing grant services at a rate which, in the judgment of L&PS, will result in substantial failure to expend the grant amount or provide grant services, L&PS may so notify the Subgrantee. If, after consultation, the Subgrantee is unable to develop to the satisfaction of L&PS a plan to rectify its low level of program expenditures or grant services, L&PS may upon thirty (30) days notice to the Subgrantee, reduce the grant amount by a sum so that the revised grant amount fairly projects program expenditures over the grant period. This reduction shall take into account the Subgrantee's fixed costs and shall establish the committed level of services for each program element of grant services at the reduced grant amount. If such a determination is made by L&PS subsequent to the awarding of the grant and the funds have already been received by the Subgrantee, the reduced amount will be remitted to L&PS.
 - d. If the revision requested will result in a change to the Subgrantee's approved project which requires federal prior approval, L&PS will obtain the federal agency's approval before approving the Subgrantee's request.

46. If the Subgrantee materially fails to comply with the terms of an award, whether stated in a state or federal statute or regulation, an assurance, general condition, special condition, in a state plan or application, a notice of award, or elsewhere, the Subgrantee agrees that L&PS may take one or more of the following actions, as appropriate in the circumstances: Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee or take more severe enforcement action.
- a. Disallow all or part of the cost of the activity or action not in compliance.
 - b. Wholly or partly suspend or terminate the current award for the Subgrantee's program.
 - c. Withhold further awards for the program.
 - d. Request the balance of grant funds to be returned and/or seek reimbursement for funds expended that were not in compliance with the terms and conditions of the grant agreement.
 - e. Take other remedies that may be legally available.
47. When the Subgrantee has failed to comply with grant award requirements, stipulations, standards, or conditions, the Subgrantee agrees that L&PS may suspend the grant and withhold further payments; prohibit the Subgrantee from incurring additional obligations of grant funds pending corrective action by the Subgrantee; or decide to terminate the grant in accordance with the below paragraph. L&PS shall allow all necessary and proper costs, which the Subgrantee could not reasonably avoid during the period of suspension, provided they meet federal and state requirements.
48. The Subgrantee agrees that L&PS may terminate the grant in whole or in part whenever it is determined that the Subgrantee has failed to comply with the conditions of the grant. L&PS shall notify the Subgrantee in writing of the determination and the reasons for the termination together with the effective date. Payments made to the Subgrantee or recoveries by L&PS under the grant terminated for cause shall be in accord with the legal right and liability of the parties.
49. L&PS and the Subgrantee may terminate the grant in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and in case of partial terminations, the portion to be terminated. The Subgrantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible.

50. The Subgrantee agrees that under certain instances it may be considered “High Risk”:
- a. If L&PS determines that a Subgrantee:
 - i. Has a history of unsatisfactory performance.
 - ii. Is not financially stable.
 - iii. Has a financial management system which does not appear adequate according to the General Conditions, or meet the standards expressed according to State Circular Letter 07-05-OMB, Standard Grant Agreement Form, VIII Financial Management System.
 - iv. Has not conformed to terms and conditions of previous awards.
 - v. Is otherwise not responsible; and L&PS determines that an award will be made; special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.
 - b. If a Subgrantee is considered “High Risk,” then L&PS may impose additional Special conditions or restrictions on the Subgrantee at any time including:
 - i. Payment on a reimbursement basis.
 - ii. Withholding authority to proceed to the next phase until receipt or evidence of acceptable performance within a given funding period.
 - iii. Requiring additional, more detailed financial reports.
 - iv. Additional project monitoring.
 - v. Requiring the Grantee to obtain technical or management assistance.
 - vi. Establishing additional prior approvals.
 - c. If L&PS decides to impose such special conditions, L&PS will notify the Subgrantee as soon as possible, in writing, of:
 - i. The nature of the special conditions/restrictions.
 - ii. The reason(s) for imposing the special conditions.
 - iii. The corrective actions that must be taken before the special conditions will be removed by the Department and the time allowed for completing the corrective actions.
 - iv. The method of requesting reconsideration of the conditions/restrictions imposed.
51. The Subgrantee understands and agrees that, in compliance with the Corruption of Public Resources Act, N.J.S.A. 2C:27-12, it cannot knowingly misuse state grant funds for an unauthorized purpose, and violations under this act could result in a prison term of up to 20 years, and, under N.J.S.A. 2C:30-8, subject to a fine of up to \$500,000.
52. The Subgrantee agrees that it shall be solely responsible for and shall keep, save, and hold the State of New Jersey harmless from all claims, loss, liability, expense, or damage

resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Subgrantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Subgrantee's services that results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Subgrantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault, or default of the Subgrantee. The Subgrantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Subgrantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense, or damage resulting from acts occurring prior to termination.

- 53. The Subgrantee certifies that it consulted with state or local victim service programs during the course of developing the application to ensure that the proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic interdependence of victims of domestic violence, sexual assault, stalking and dating violence. 42 U.S.C. §3796gg(d)(4).

CERTIFICATION

I certify that the project proposed in this application meets all the requirements of the federal STOP Violence Against Women Act (VAWA) Grant Program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of the New Jersey STOP Violence Against Women Act (VAWA) Grant Program and all other applicable federal and state laws, regulations, and guidelines.

_____ **Grant #** _____
Subgrantee

_____ **Title of Authorized Official**
(Freeholder Director, County
Executive, Agency Director)

_____ **Signature of Authorized Official**

Printed Name of Authorized Official

Date

RVAWA rev 10/09

STATE OF NEW JERSEY
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009:
RECOVERY STOP VIOLENCE AGAINST WOMEN ACT (VAWA)
GRANT PROGRAM

RECOVERY ACT CONDITIONS

1. The Subgrantee agrees to comply and assure the compliance of its contractors with all applicable provisions of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (“ARRA” or “Recovery Act”), as amended.
2. The Subgrantee, as a recipient of Recovery Act funds, understands and agrees that all other terms and conditions contained in this grant, or in applicable Office of Justice Programs (OJP) grant policy statements or guidance, apply unless they conflict or are superseded by the terms and conditions included here that specifically implement the American Recovery and Reinvestment Act of 2009, Public Law 111-5 requirements. The Subgrantee is responsible for contacting its program analyst for any needed clarifications.
3. The Subgrantee understands and agrees that DOJ (including OJP and the Office of the Inspector General, and its representatives, and the Government Accountability Office (GAO), shall have access to and the right to examine all records (including, but not limited to, books, papers, and documents) related to this Recovery Act award, including such records of any subrecipient, contractor, or subcontractor. The Subgrantee also understands and agrees that DOJ and GAO are authorized to interview any officer or employee of the Subgrantee (or of any subrecipient, vendor, contractor, or subcontractor) regarding transactions related to this Recovery Act award.
4. The Subgrantee understands and agrees that awards under the Recovery Act may be one-time awards and accordingly that its proposed project activities and deliverables are to be accomplished without additional DOJ funding.
5. The Subgrantee agrees to track, account for, and report on all funds from this Recovery Act award (including specific outcomes and benefits attributable to Recovery Act funds) separately from all other funds, including DOJ award funds from non-Recovery Act awards awarded for the same or similar purposes or programs. (Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate.) Accordingly, the accounting systems of the Subgrantee and all subrecipients must ensure that funds from this Recovery Act award are not commingled with funds from any other source.

6. The Subgrantee agrees that all personnel (including subrecipient personnel) whose activities are to be charged to the award will maintain timesheets to document hours worked for activities related to this award and non-award related activities.
7. The Subgrantee agrees to monitor subawards under this Recovery Act award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The Subgrantee is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds by subrecipients.
8. The Subgrantee agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
9. The Subgrantee agrees to work with the New Jersey Department of Law and Public Safety (L&PS) and the Division of Criminal Justice (DCJ) to ensure that, no later than the due date of the Subgrantee's second monthly report after a subaward is made, the subrecipient has a valid DUNS profile and has an active registration with the Central Contractor Registration (CCR) database.
10. The Subgrantee will comply with Recovery Act requirements to post transactions:
 - a. The Subgrantee agrees to maintain records that identify adequately the source and application of Recovery Act funds, to maximize the transparency and accountability of funds authorized under the Recovery Act as required by the Act and in accordance with 2 C.F.R. 215.21, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations" and OMB A-102 Common Rules provisions (relating to Grants and Cooperative Agreements with State and Local Governments).
 - b. The Subgrantee agrees to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This condition only applies if the Subgrantee is covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This shall be accomplished by identifying expenditures for Federal awards made under the Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix "ARRA-" in identifying the

name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SFSAC.

- c. The Subgrantee agrees to separately identify to each subrecipient the Federal award number, CFDA number, and amount of Recovery Act funds, and to document this identification both at the time of subaward and at the time of disbursement of funds. When a Subgrantee awards Recovery Act funds for an existing program, the information furnished to subrecipients shall distinguish the subawards of incremental Recovery Act funds from regular subawards under the existing program.
 - d. The Subgrantee agrees to require its subrecipients to specifically identify Recovery Act funding on their SEFA information, similar to the requirements for the Subgrantee SEFA described above. This information is needed to allow the Subgrantee to properly monitor subrecipient expenditure of Recovery Act funds as well as facilitate oversight by the Federal awarding agencies, the DOJ OIG, and the GAO.
11. The Subgrantee agrees to comply with the Recovery Act's Section 1512 Reporting and Registration Requirements:
- a. This award requires the Subgrantee to complete projects or activities which are funded under the Recovery Act and to report on use of Recovery Act funds provided through this award. Information from these reports will be made available to the public.
 - b. The reports by the 7th day of the following month after the Subgrantee receives the assistance award funded in whole or in part by the Recovery Act.
 - c. Subgrantees and their first-tier subrecipients must maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.
 - d. The Subgrantee shall report the information described in section 1512(c) of the Recovery Act using the reporting instructions and data elements that will be provided by L&PS and DCJ.
12. The Subgrantee understands that Section 1512(c) of the Recovery Act provides as follows:
- a. Recipient Reports - By the 7th day of the following month, each recipient that received recovery funds shall submit a report to that agency that contains:
 - i. the total amount of recovery funds received from that agency;

- ii. the amount of recovery funds received that were expended or obligated to projects or activities; and
- iii. a detailed list of all projects or activities for which recovery funds were expended or obligated, including:
 - (1) the name of the project or activity;
 - (2) a description of the project or activity;
 - (3) an evaluation of the completion status of the project or activity;
 - (4) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - (5) for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.
- iv. Detailed information on any subcontracts or subgrants awarded by the Subgrantee to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

13. The Subgrantee must promptly refer to DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for Recovery Act funds under 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 involving Recovery Act funds. Potential fraud, waste, abuse, or misconduct should be reported to OIG by:

mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W., Room 4706
Washington, D.C. 20530

e-mail: oig.hotline@usdoj.gov

hotline: (800) 869-4499 (contact information in English and Spanish)

fax: (202) 616-9881

For additional information visit DOJ OIG's website at www.usdoj.gov/oig.

14. The Subgrantee recognizes that the Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross mismanagement, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to Section 1553 of the Recovery Act. The text of Recovery Act is available at www.ojp.usdoj.gov/recovery.
15. The Subgrantee agrees that none of the funds under this award may be used by any State or local government, or any private entity, for construction costs or any other support of any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.
16. The Subgrantee agrees that it may not use any funds made available under this Recovery Act award for infrastructure investment absent submission of a satisfactory certification under Section 1511 of the Recovery Act. Should the Subgrantee decide to use funds for infrastructure investment subsequent to award, the Subgrantee must submit appropriate certifications under Section 1511 of the Recovery Act and receive prior approval from OJP. In seeking such approval, the Subgrantee shall give preference to activities that can be started and completed expeditiously, and shall use award funds in a manner that maximizes job creation and economic benefits. The text of the Recovery Act (including Sections 1511 and 1602) is available at www.ojp.usdoj.gov/recovery.
17. The Subgrantee understands that this award is subject to the provisions of Section 1605 of the Recovery Act (“Buy American”). No award funds may be used for iron, steel, or manufactured goods for a project for the construction, alteration, maintenance, or repair of a public building or public work, unless the Subgrantee provides advance written notification to L&PS and DCJ and receives prior approval from the OJP program office, and a Grant Adjustment Notice is issued that modifies this special condition to add government-wide standard conditions (anticipated to be published in subpart B of 2 C.F.R. Part 176) that further implement the specific requirements or exceptions of section 1605. Section 1605 of the Recovery Act prohibits use of any Recovery Act funds for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States, subject to certain exceptions, including United States obligations under international agreements.

For purposes of this special condition, the following definitions apply:

“Public building” and “public work” means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

“Manufactured good” means a good brought to the construction site for incorporation into the building or work that has been: (1) Processed into a specific form and shape; or (2) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

“Steel” means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

For purposes of OJP grants, projects involving construction, alteration, maintenance, or repair of jails, detention facilities, prisons, public crime victims’ shelters, police facilities, or other similar projects will likely trigger this provision.

18. The Subgrantee agrees to comply with federal wage rate requirements under Section 1606 of the Recovery Act:
 - a. Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with Subchapter IV of Chapter 31 of title 40, United States Code. Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 C.F.R. Parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 C.F.R. 5.5 instruct agencies concerning application of the standard Davis-Bacon contract clauses set forth in that section. The standard Davis-Bacon contract clauses found in 29 C.F.R. 5.5(a) are to be incorporated in any covered contracts made under

this award that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).

- b. For additional guidance on the wage rate requirements of section 1606, contact BJA. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.
19. The Subgrantee understands that all OJP awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. Section 4321 et seq.) and other related Federal laws (including the National Historic Preservation Act), if applicable. The Subgrantee agrees to assist OJP in carrying out its responsibilities under NEPA and related laws, if the Subgrantee plans to use Recovery Act funds (directly or through subaward or contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.) The Subgrantee also agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.
20. The Subgrantee understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
21. The Subgrantee agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide) guidance and clarifications of Recovery Act requirements.
22. The Subgrantee acknowledges that it has certified that it will comply with all reporting requirements under section 1512(c) of the Recovery Act. A failure to comply with the Section 1512(c) reporting requirements may, in addition to other penalties, subject the recipient to: (a) preclusion from drawing down funds under any OJP award, and/or (b) deemed ineligible for future discretionary OJP awards, until such time as the recipient becomes current in its Section 1512(c) reporting obligations.

23. **Subgrantees will be required to attend one mandatory technical assistance workshop on Recovery Act reporting requirements conducted by the Division of Criminal Justice.**

CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the American Recovery and Reinvestment Act of 2009 and the Recovery STOP Violence Against Women Grant Program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of the American Recovery and Reinvestment Act of 2009 and the Recovery STOP Violence Against Women Grant Program and all other applicable federal and state laws, regulations, and guidelines.

_____ **Grant #** _____
Subgrantee

_____ **Title of Authorized Official**
(Freeholder Director, County Executive, Agency Director)

_____ **Signature of Authorized Official**

_____ **Date**

_____ **Printed Name of Authorized Official**

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

GRANT AGREEMENT CERTIFICATION

_____, being eighteen years of age or older, hereby certifies:

Name

1. I am _____ of the _____

Title

Name of governmental entity

_____, hereafter referred to as the "Subgrantee." I am **or non profit organization receiving grant funds**

submitting this certification in conjunction with the provision of grant funds in the amount of

_____ to the Subgrantee by the Division of Criminal Justice under the **dollar amount of funds**

Recovery STOP Violence Against Women Act (VAWA) Grant Program. In making this certification, I understand that the Division of Criminal Justice will rely upon the statements made herein in processing this application and with making provision of the grant funds in question.

2. I have reviewed the contents of the application which has been submitted by the Subgrantee for such funding and hereby certify that the factual statements and data set forth in the application and attachments are true to the best of my knowledge and belief.

3. I also hereby certify that I am responsible for authorizing expenditures and disbursements of grant funds; that I will be responsible for undertaking the projects and activities described in the application; that I have reviewed and am familiar with all statutory and regulatory

requirements pertaining to the use of the funds being provided to undertake such projects and activities; and that I have sought and obtained legal advice from the Subgrantee's legal counsel as I have considered appropriate or necessary in this regard.

4. I further certify that I will ensure that the Subgrantee will utilize the funds being provided by the Division of Criminal Justice to carry out the projects and activities specifically described in the application.

5. I further certify that I will ensure that the Subgrantee will, in utilizing the funds being provided by the Division of Criminal Justice, comply with any and all statutory and regulatory requirements pertaining to the use of such funds.

6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Signature

Title

Printed Name

Date

Grant # _____

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS
AND
DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal Grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

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

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making is a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
- (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice
Office of Justice Programs
ATTN: Control Desk
810 Seventh Street, N.W.,
Washington, D.C. 20531

Notice shall include the identification numbers(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ___ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ___ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, with 10 calendar days of the conviction, to:

Department of Justice
Office of Justice Programs
ATTN: Control Desk
810 Seventh Street, N.W.,
Washington, D.C. 20531

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name:

3. Grantee IRS/Vendor Number _____

4. Type/Print Name and Title of Authorized Representative

5. Signature

6. Date

State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE RECOVERY STOP VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the _____ wishes to apply for funding
Applicant's Unit of Government/Non Profit Organization

for a project under the Recovery STOP Violence Against Women Act (VAWA) Grant Program,
and

WHEREAS, the _____ has reviewed the
Applicant's Governing Body/Board of Directors

accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public
Safety and _____ for the purpose described
Applicant's Unit of Government/Non Profit Organization

in the application;

THEREFORE, BE IT RESOLVED by the _____ that
Applicant's Governing Body/Board of Directors

- 1) As a matter of public policy _____ wishes to
Applicant's Unit of Government/Non Profit Organization
participate to the fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the
applications for said funds.

**State of New Jersey
Recovery Act STOP Violence Against Women Act (VAWA) Grant Program
(Recovery VAWA)**

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the

_____ held on the
Applicant's Governing Body/Board of Directors

_____ day of _____, 20____ and duly recorded in my office;

that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

DATED this _____ day of _____, 20_____

SEAL

Signature of Certifying Officer

**Title of Certifying Officer/
Chairperson, Board of Directors**

Name of Certifying Officer

**FEDERAL FINANCIAL ACCOUNTABILITY AND
TRANSPARENCY ACT INFORMATION FORM**

To be completed by Subrecipient:

1. AGENCY NAME: _____
2. CITY: _____ 3. STATE: _____
4. CONGRESSIONAL DISTRICT: _____
5. DUNS NUMBERS: _____
(<http://www.dnb.com/us/>)
6. LOCATION OF PRIMARY PLACE OF PERFORMANCE OF PROJECT
(If different than above):
CITY: _____ STATE: _____
CONGRESSIONAL DISTRICT: _____
7. CENTRAL CONTRACTOR REGISTRATION COMPLETED: YES____ NO____
(<http://www.ccr.gov/>)
8. SIGNATURE OF AGENCY REPRESENTATIVE: _____

To be completed by Division/Subgrantor:

1. AMOUNT OF AWARD: _____
2. FEDERAL: _____
3. MATCH OR STATE SHARE: _____
4. AWARD NUMBER: _____
5. TRANSACTION TYPE: _____
6. CFDA NUMBER: _____
7. PROGRAM SOURCE: _____

STATE OF NEW JERSEY
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009:
RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) Grant Program

RECOVERY ACT REPORTING
PRE-REPORT FORM

Section 1512 of the Recovery act mandates the collection specific data from Sub-grantees (Sub-recipients) who receive ARRA funds. In order to register and report your project on www.Federalreporting.gov, each sub-recipient is required to complete this Pre-Report form.

Please complete and hand in this form at the Mandatory DCJ Training session.

Provide the following:

1. Sub-grant Number: _____ Award Amount: (Federal \$ only) \$ _____
Grant Begin Date: _____ Grant End Date: _____
2. Agency Name: _____
3. Project Title: _____
4. Short Project Description: _____

5. Agency Duns Number: _____
(<http://www.dnb.com/us/>)
6. Congressional District (Location of the Agency main office): (2 digits) _____
<http://www.njleg.state.nj.us/districts/municipalities.asp>
7. Does your project serve: ____ Local Area ____ County ____ State
8. LOCATION OF **PRIMARY** PLACE OF PERFORMANCE OF PROJECT - Enter the **ONE** location and corresponding congressional district where the majority of work is completed. If the project is spread across several jurisdictions - enter information for the agency office located within the jurisdiction receiving the highest concentration of services received from this grant. Form 1512 has **NO** option for **Statewide**, so you must select one congressional district.

ADDRESS: _____

CITY: _____ STATE: _____

ZIP CODE +4 (9 Digits): _____

(<http://zip4.usps.com/zip4/welcome.jsp>)

CONGRESSIONAL DISTRICT (2 digits): _____

HIGHLY COMPENSATED OFFICERS

Provide the names and total compensation of the 5 top compensated officers **if**:

- a. In the preceding fiscal year, the sub-recipient received **80%** or more of its annual gross revenues in Federal awards; **and**
\$25,000,000 or more in annual gross revenues from Federal awards; **and**
- b. The public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under SEC or IRS regulations or posted on a public website.
- c. Total compensation: The complete pay package of each of the recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.02).
<http://www.cgsh.com/cgsh/SECDeterminationofNamedExecutiveOfficers.pdf>

9. Based on the information above, are you required to report the five most highly compensated officers?

Yes No

10. If answer to question 9 is YES, provide the names of the 5 most highly compensated officers and the total compensation amount for the calendar year in which the award is awarded:

<u>Officer Name</u>	<u>Total Compensation</u>
#1 _____	_____
#2 _____	_____
#3 _____	_____
#4 _____	_____
#5 _____	_____

11. Indicate the target population of the project by checking all appropriate selections

A. Gender(s):

Female Male N/A

B. Age(s):

Adult - over 18 Juvenile - 18 and younger N/A

C. Geographic location(s) of populations served:

Rural Suburban Urban Tribal N/A

**Law and Public Safety
Division of Criminal Justice**

Notice of Availability of Funds

Take notice that, in compliance with N J S A. 52:14-34.4, the Division of Criminal Justice (DCJ) announces the availability of the following grant program funds:

a. Name of the program: New Jersey Recovery Act Violence Against Women (VAWA) Competitive Grant Program (Recovery VAWA). This program is supported by the Federal Fiscal Year 2009 (FFY09) Recovery Act STOP Violence Against Women Formula Grant Program.

b. Purpose: To further the purposes of the STOP Violence Against Women Act and the American Recovery and Reinvestment Act of 2009 (ARRA), funds will be used for projects that create and retain jobs and promote economic growth while improving responses to domestic violence, dating violence, sexual assault and stalking. Funding priorities include projects providing essential services to victims of violence against women. Essential services include, but are not limited to, 24/7 hotline, crisis response, shelter, counseling, advocacy, accompaniment, and outreach.

c. Available funding: A total of \$748,043 will be available to support this program. Funds for this program are derived from the FFY09 Recovery Act STOP Violence Against Women Formula Grant Program. Funds will be awarded on a competitive basis. Geographic distribution and types of victim services provided will be taken into account in the selection of projects. Applicants may apply for a maximum of \$45,000 for a 10-month grant period. The grant period will be June 15, 2010 to April 15, 2011. Only one application per project will be accepted. No match funds are required. A minimum of 10 percent of the available funding will be awarded to culturally specific community-based organizations.

d. Organizations which may apply for funding under this program: Private, nonprofit organizations which provide victim services and are organized under Title 15A of the New Jersey Revised Statutes or otherwise qualified for nonprofit tax exemption under the Internal Revenue Code 26 U.S.C. Section 501(c)(3) and public agencies which provide services to crime victims and are not part of a law enforcement agency or prosecutor's office are eligible to apply.

e. Qualifications needed by an applicant to be considered for funding: Applicants must be in good standing with all State and Federal agencies with which they have had an existing grant or contractual relationship. Where appropriate, all applicants must hold current State licenses and certifications. Proof of New Jersey Business Registration must be provided if applicable.

Charitable organizations and professional fund raisers based, operating or soliciting within New Jersey must register with the Division of Consumer Affairs Charities Registration Section unless specifically exempted under the provisions of the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq. Proof of charity registration compliance or proof of exemption shall be submitted to the State Office of Victim Witness Advocacy with the organization's application.

The Federal Funding Accountability and Transparency Act (FFATA) of 2006 requires the use of the Data Universal Numbering System (DUNS) and Central Contractor Registration (CCR) as unique identifiers for each entity receiving a Federal award or subaward. Applications without a completed FFATA Form, including current DUNS number(s) and CCR registration, will be deemed incomplete.

Applicants must comply with all the requirements of the ARRA, including demonstration of the financial capacity to segregate, account, track and report all Recovery VAWA funds separate and apart from all other grant funds the agency receives; capacity to comply with strict ARRA reporting requirements; and monthly reporting to the State Office of Victim Witness Advocacy.

Information in these reports will be posted quarterly on public websites. For further information visit: <http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm>.

To be considered for funding, an eligible applicant must file a completed application, in accordance with the requirements of the program, by the submission deadline. The following scored components must be included in the application:

1. Agency background, mission, experience and capability. 10 points

Describe in detail the agency's mission, background and experience as it relates to the purpose and objectives of the proposed project. Explain the agency's understanding and capability to carry out the project based on demonstrated experience in providing victim services to the target population. Public agencies must cite their statutory and/or local governing authority.

2. Problem Statement/Needs Assessment. 15 points

Identify the specific problem(s), target population and geographic area that the proposed project will address. Describe the needs and characteristics of the target population; local needs and conditions; describe existing services and identify gaps and/or barriers in services. Include statistics and relevant facts to substantiate the need and selection of the proposed project.

3. Goals, Objectives and Methods. 30 points

Specify clear, realistic goals for the proposed project. Identify objectives that are concise, measurable and clearly relate to the goals, problem statement/needs assessment and target population. Measurable objectives shall include, but not be limited to, the level of service to be provided. Describe in detail the project's approach or strategy for attaining each objective. Complete a project work plan which includes each objective along with the major activities, responsible staff and feasible time frames for each objective and activity.

4. Partnership, Collaboration or Coordination of Services. 10 points

Partnerships, collaboration and/or coordination of services are strongly encouraged for all projects. Describe the agency's partnership and/or coalition building strategy and use of volunteers. Applications for projects which require coordination of services among two or more agencies must contain a signed affiliation agreement. An affiliation agreement must define roles, responsibilities, referral mechanisms, collaboration and coordination efforts necessary for successful implementation of the project and must be signed by all affiliating agencies. At least three letters of support for the specific project must be included with the application.

5. Project Management and Staff. 10 points

Identify project management and staff. Describe how personnel are uniquely qualified to manage and implement the project. Provide current resumes along with job descriptions that describe the title, responsibilities, education and experience for each position for whom the grant or matching funds are requested. State if the position is full-time or part-time, the number of hours and percentage of time devoted to the project. Indicate if funds will be used to retain existing staff or to recruit new staff for each position requested in the budget. Grant funds cannot be used to supplant State and Federal funds otherwise available for crime victim services.

6. Data Collection/Performance Measures/Evaluation. 10 points

List data that will be collected. Describe the methods that will be used to measure the progress and assess the impact of the project. (Subgrantees will be required to collect and report specific data relating to their project to DCJ). Client feedback is strongly encouraged; if measurement does not include client feedback, an explanation must be provided.

7. Budget and Budget Narrative. 15 points

Provide detailed narrative justification for the funds requested by Budget Category itemized on the Budget Detail Forms. Costs must be specific and tied to the project objectives. Applicants should refer to the Program Guidelines for a description of budget categories and allowable expenses. No match funds are required for this application.

f. Procedures for eligible organizations to apply: Application packages are available by contacting the Division of Criminal Justice, State Office of Victim Witness Advocacy at (609) 292-6766 or on the website at www.njvw.org. Applicants must complete and submit one original and two copies of the Recovery Act Violence Against Women Act (VAWA) Program application by the submission deadline. Applications that do not comply with the requirements of this Notice of Availability of Funds or the Program Guidelines will not be considered. The Division of Criminal Justice reserves the right to decline any and all applications for funding and to award grants in amounts that may be other than requested. Agencies previously funded are not guaranteed continued funding nor funding at previous levels. The submitted application may be subject to disclosure pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

g. Address of the State agency receiving the application:

Heddy Levine-Sabol, Acting Chief

State Office of Victim Witness Advocacy

Division of Criminal Justice

Richard J. Hughes Justice Complex

25 Market Street

P.O. Box 085

Trenton, New Jersey 08625-0085

h. Deadline by which applications must be submitted: Applications must be completed and filed before 4:00 P.M. on Monday, February 15, 2010. Facsimiles or electronic mail will not be accepted.

i. Date by which notices shall be mailed of approval or disapproval of applications: All applicants will be notified in writing on or about March 31, 2010, as to whether or not the agency's proposed project will be funded.