Additional information regarding the administrative procedures that govern this grant program will be sent directly to your designated Project Director in the near future. In the interim, should you have questions concerning the contract or other enclosures, please contact me at (304)558-8814, extension 53314, or via email Leslie.R.Roberts@wv.gov I look forward to working with you on this project and feel confident that our efforts will prove tremendously beneficial to the State of West Virginia.

Sincerely yours,

Leslie R. Roberts
Justice Programs Specialist

LRR/amw
c: Mr. Mel Snyder (*all attachments*)
Grant File (*all attachments*)

Enclosures

GRANT CONTRACT AGREEMENT

BETWEEN

DIVISION OF JUSTICE AND COMMUNITY SERVICES

AND

Preston County Commission

15-VA-120

This **AGREEMENT**, entered into this **16th day of October 2017** by the Director of the Division of Justice and Community Services, hereinafter referred to as "DJCS", and the Preston County Commission hereinafter referred to as "Grantee."

WHEREAS, DJCS is the recipient of a Victims of Crime Act (VOCA) Program Grant from the United States Department of Justice, and

WHEREAS, the Grantee is an eligible applicant who is desirous of receiving funds. **These funds will provide for a portion of a full-time Victim Advocate in the Preston County Prosecuting Attorney's Office to provide direct services to crime victims in Preston County.**

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.

2. DJCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application which is attached hereto and made part hereof, hereinafter referred to as Attachment A.

3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by DJCS all duties, tasks and functions necessary to implement the application which is hereto attached as Attachment A.

4. The Grantee will commence its duties under the Agreement on **October 1, 2017**, and shall continue those services/activities until **September 30, 2018**. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.

5. In consideration of the services rendered by the Grantee, the sum of up to **$39,355.00** shall be obligated by DJCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.

6. It is the understanding of all parties to this Agreement that DJCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.

7. To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Funds once per month to DJCS. Upon receipt of said request, DJCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of Attachment A, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to DJCS by the twentieth (20th) day of each month.

8. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof as Attachment B is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a State agency, the completed application signed by the agency head is sufficient.

9. Grantee agrees to abide by the grant conditions, terms, assurances and certifications which are a part of Attachment A and such other special terms and conditions that DJCS has set forth in Attachment C which is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.

10. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner, obligations under this Agreement, the DJCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the DJCS reasons for taking said action.

11. DJCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.

12. If for any reason funds received by DJCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.

13. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to DJCS a final report on forms provided by DJCS. Said reports shall reflect actual costs incurred during the terms of this Agreement.

14. The parties hereto agree that notice shall be given by personal service or served when mailed certified U.S. Mail, postage prepaid, return receipt requested to the following addresses:

a. Division of Justice and Community Services
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323

b. **Grantee Mailing Address:**

Preston County Commission
106 West Main Street, Suite 202
Kingwood, West Virginia 26537

15. The Grantee shall hold and save DJCS and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the Grantee.

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

T. Craig Jennings, President
Preston County Commission

W. Richard Staton, Director
Division of Justice and Community Services

RESOLUTION

The **Commission** of the **Preston County Commission** met on October 23, 2017 (date) with a quorum present and passed the following resolution.

Be it resolved that the **Commission** hereby authorizes **T. Craig Jennings**, **President** of **Preston County Commission** to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Victims of Crime Act (VOCA) grant program.

Signed: Linda Huggins
County Clerk

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three.

Recipient's Name: Preston County Commission	DUNS Number:
Address: 106 W. Main Street, Suite,202, Kingwood, WV 26537	
Grant Title: VOCA	Grant Number:
Award Amount:$39,355	
Name and Title of Contact Person: Mel Snyder	
Telephone Number: 304.329.1885	E-Mail Address: msnyder@prestoncountywv.gov

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply:

☐ Recipient has less than fifty employees. ☐ Recipient is an Indian tribe. ☐ Recipient is a medical institution.
☐ Recipient is a nonprofit organization. ☐ Recipient is an educational 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 fifty or more employees and is receiving a single award or subaward of $25,000 or more, but less than $500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, T. Craig Jennings [*responsible official*],
certify that Preston County Commission [*recipient*],
which has fifty 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 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:
Preston County Commission [*organization*],
106 W. Main Street, Suite 202, Kingwood, WV 26537 [*address*].

T. Craig Jennings, Presidentt — October 23, 2017
Print or Type Name and Title *Signature* *Date*

Section C—Declaration Stating that an EEOP Utilization Report Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of $500,000 or more, then the recipient agency must send an EEOP Utilization Report to the OCR for review.

I, _____ [*responsible official*],
certify that _____ [*recipient*],
which has fifty or more employees and is receiving a single award of $500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [*date*] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

Print or Type Name and Title *Signature* *Date*

OMB Approval No. 1121-0340 Expiration Date: 05/31/14

INSTRUCTIONS

Completing the Certification Form
Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). *See* 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under $25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of $25,000 or more, but less than $500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of $500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Submission Process

If a recipient receives multiple awards subject to the Safe Streets Act, the recipient should complete a Certification Form for each grant. Recipients should download the online Certification Form, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

OMB Approval No. 1121-0340 Expiration Date: 05/31/14

Public Reporting Burden Statement

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.

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 (Nonpro-curement) 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 it 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 convic-tion. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(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)

106 W. Main Street
Kingwood Preston County
West Virginia 26537

Check ☐ if there are workplaces on file that are not indentified 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, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 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:
Preston County Commission
106 W. Main Street, Suite 202
Kingwood, WV 26537

2. Application Number and/or Project Name
15-VA-120 VOCA

3. Grantee IRS/Vendor Number
55-6000384

4. Typed Name and Title of Authorized Representative
T. Craig Jennings, President

5. Signature

6. Date
October 23, 2017

*U.S. Government Printing Office: 1996 - 405-037/40014

WEST VIRGINIA
DIVISION OF JUSTICE & COMMUNITY SERVICES

STANDARD CONDITIONS AND ASSURANCES

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Standard Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services
1124 Smith Street-Suite 3100
Charleston, West Virginia 25301-1323

1. LAWS OF WEST VIRGINIA:

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a "**REIMBURSEMENT ONLY**" mechanism.

2. LEGAL AUTHORITY:

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion 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 directly authorizes 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.

3. RELATIONSHIP:

The relationship of the grantee to DJCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind DJCS for any obligation or expense without the express prior written approval from DJCS.

4. COMMENCEMENT WITHIN 60 DAYS:

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

5. OPERATIONAL WITHIN 90 DAYS:

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to DJCS explaining the delay in implementation. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

6. WRITTEN APPROVAL OF CHANGES:

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).

WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES	STANDARD CONDITIONS AND ASSURANCES

7. CIVIL RIGHTS COMPLIANCE:

Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. §10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Violence Against Women Act (42 U.S.C. § 13925(b)(13)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1686-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); Executive Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38. Subrecipients of grants under the Violence Against Women Act (VAWA) of 1993, as amended, are prohibited from discriminating on the basis of sexual orientation or gender identity.

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of age, disability, race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and the West Virginia Division of Justice and Community Services.

8. PRESS RELEASE:

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

9. LOBBYING:

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

10. ACCESS TO RECORDS:

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

11. CONFLICT OF INTEREST:

No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

12. POLITICAL ACTIVITY:

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES	STANDARD CONDITIONS AND ASSURANCES

13. RELEASE OF INFORMATION:

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

14. NATIONAL AND STATE EVALUATION EFFORTS:

The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

15. OBLIGATION OF PROJECT FUNDS:

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

16. USE OF FUNDS:

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.

17. ALLOWABLE AND UNALLOWABLE COSTS:

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES	STANDARD CONDITIONS AND ASSURANCES

19. NON-SUPPLANTING:

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

20. MATCHING CONTRIBUTION:

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that if match is not "required" by the grant program for which you are making application, but committed and indicated on the budget pages of this application, then this special condition shall be affected.

21. PROJECT INCOME:

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

22. CONSULTANT FEES:

Approval of this grant does not indicate an approval of consultant rates in excess of $450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

23. SUSPENSION OF FUNDING:

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document;
- If reports are more than 60 days late the money for that month is forfeited and MAY NOT be recouped; or
- Other cause shown.

24. SANCTIONS FOR NONCOMPLIANCE:

In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, DJCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies or if reports are more than 60 days late the money for that month is forfeited and MAY NOT be recouped.;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.

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25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASE:

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. _____awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position of policies of the United State Department of Justice."

26. PROPERTY ACCOUNTABILITY:

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

27. CRIMINAL PENALTIES:

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

28. REPORTS:

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

29. PURCHASING:

When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or other agency.

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30. COLLABORATION W/OTHER FED. AND STATE GRANTS:

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

31. INFORMATION SYSTEMS:

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.

b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.

c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.

d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

32. INCIDENT BASED REPORTING COMPLIANCY:

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

33. TIME EXTENSIONS:

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

34. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:

Grantee understands and agrees that it cannot use any grant 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.

35. LIMITED ENGLISH PROFICIENCY:

Title VI's prohibition of national origin discrimination includes discrimination against individual who are limited in their English proficiency (LEP) because of their national origin. Under Title VI (and the Safe Streets Act), recipients are required to take reasonable steps to ensure that LEP individuals have meaningful access to the recipient's programs and services. Providing "meaningful access" will generally involve some combination of oral interpretation services and written translation of vital documents. More information can be found at http://www.lep.gov.

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36. COMPUTER EQUIPMENT:

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are **minimum** hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

Minimum Hardware Requirements:

- Processor: Intel Core i3, 3.00 GHz
- RAM: 4 GB minimum
- Hard Drive: 500 GB, 7200 RPM SATA, upgradable
- Keyboard: Standard USB
- Mouse: Optical USB 2 button W/scroll
- DVD/RE: Multi DVD/RW optical drive
- USB Ports: 4 back, 2 front, with a minimum one USB 2.0 port or higher
- Ethernet Port: Standard integrated
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

Recommended Hardware Components:

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (**may** be integrated)
- APC UPS Backup power protection (adequate size to handle power load)

Software Requirements:

Whenever possible, software should operate within open industry standards. For example, Windows 7 Enterprise 32 bit

Warranty Requirements:
3 Year on-site warranty

37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

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38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:

Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending **Federal awards.** If applicable, this grant shall adhere to the audit requirements set forth at the time of award. (2CFR Part 200 or OMB Circular A-133 – for further information go to OMB Uniform Guidelines at: https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs

§200.501(a) *Audit required.* A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

(b) *Single audit.* A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than $750,000.* A non-Federal entity that expends less than $750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

I.) If an audit must be conducted pursuant to the Uniform Guidelines, a copy of the audit shall be submitted to DJCS as well as to the Federal clearinghouse.

The Federal clearing house is as follows:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:

I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

40. CONFIDENTIALITY OF RESEARCH INFORMATION:

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

41. LEASE AGREEMENTS:

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

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42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:

The grantee will provide an Equal Employment Opportunity Plan (EEOP) to the Office for Civil Rights, Office of Justice Programs (OCR) and the West Virginia Division of Justice and Community Services. Each grantee certifies that it has executed and has on file an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E; or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. The grantee further certifies that it has filed an EEOP Certification form and, if required, an EEOP Utilization Report, through the EEO Reporting Tool at https://ojp.gov/about/ocr/eeop.htm.

43. VETERANS PREFERENCE:

This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. DJCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

44. IMMIGRATION AND NATURALIZATION VERIFICATION:

The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

46. PERSONNEL TRAINING:

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

47. ACCOUNTING REQUIREMENTS:

Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

49. TRANSFER OF FUNDS PROHIBITION:

The grantee is expressly prohibited from transferring funds between any DJCS programs.

50. MARKING OF EQUIPMENT:

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

51. **PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Grantee acknowledges that DJCS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

52. **CENTRAL CONTRACTOR REGISTRATION:**

Grantee agrees to register with the Central Contractor Registration (CCR), www.ccr.gov and provide documentation to DJCS within 30 days of award notification that they have done so.

53. **DATA UNIVERSAL NUMBERING SYSTEM:**

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, www.dnb.com and provide documentation to DJCS within 30 days of award notification that they have done so.

54. **JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:**

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002:

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

55. **BIDDING PROCEDURES:**

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to $100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

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56. **COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

a. Part 11, Applicability of Office of Management and Budget Circulars.
b. Part 18, Administrative Review Procedures.
c. Part 20, Criminal Justice Information Systems.
d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
e. Part 23, Criminal Intelligence Systems Operating Policies.
f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

57. **ADDITIONAL REGULATIONS AND PROCEDURES:**

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

a. National Environmental Policy Act of 1969 (NEPA).
b. National Historic Preservation Act of 1966.
c. Flood Disaster Protection Act of 1973.
d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
e. Control Act Amendments of 1972.
f. Safe Drinking Water Act.
g. Endangered Species Act of 1973.
h. Wild and Scenic Rivers Act.
i. Fish and Wildlife Coordination Act.
j. Historical and Archaeological Data Preservation.
k. Coastal Zone Management Act of 1979.
l. Animal Welfare Act of 1970.
m. Impoundment Control Act of 1974.
n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
p. Death in Custody Act of 2000.

58. **RELIGIOUS ACTIVITIES**

Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.

To the best of my knowledge the applicant has and will comply with all of the attached Standard Conditions and Assurances.

Authorized Official: T. Craig Jennings **Title:** President

Signature: **Date:** October 23, 2017

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59. ADMINISTRATIVE CHANGES:

The applicant must advise DJCS immediately in writing if there are any changes in the: (1) Project Director, (2) Fiscal Officer, (3) Authorized Official, or (4) VOCA Grant-funded staff position(s). Please also submit to DJCS a new membership list if there are any changes in the members of a governing board, such as County Commission or City Council, or changes in members of the Advisory Board/Committee.

60. LATE REPORTING:

Applicant understands that projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Each additional 30 days past the initial 60-day delinquency period shall result in an additional forfeiture of a month's reimbursable expenses.

61. CLIENT FILES:

Applicant must maintain client files for all victims served to document type of crime and services provided throughout the grant period. Sub-grantee also agrees to collect and maintain Civil Rights information, where such information is voluntarily furnished by those receiving service, on race, sex, national origin, age and disability. These records are to be available at any time for review by DJCS.

62. CLIENT SURVEYS/EVALUATIONS:

The applicant is required to implement client surveys for evaluation purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All surveys/evaluations must ensure client confidentiality. . All surveys/evaluations will include the two following outcome measures: **(1) Victim safety, (2) Public awareness**, results will be required on the VOCA Annual Performance Report.

63. CLIENT CONFIDENTIALITY:

Applicant must maintain a written confidentiality policy that prohibits the disclosure of victim's name, address, phone number, any contact information, or any other personally identifying information without prior voluntary written consent of the victim (or legal guardian). Client information should only be accessible to authorized direct service staff of the funded program. All programs who also receive funds under the STOP Violence Against Women Act (VAWA) must adhere to all confidentiality requirements under the Violence Against Women Reorganization Act of 2005.

64. NOTIFICATION OF VICTIM COMPENSATION PROGRAM:

Applicant is required to assist crime victims in seeking available and eligible crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of the victim compensation fund, assisting with the application forms and procedures, obtaining necessary documents, and/or checking on claim status.

65. GRANT FILE:

Applicant must maintain a grant file containing all grant-related documents, such as the grant agreement, monthly financial reports, monthly progress reports, and any grant-related correspondence. In some situations, the project site maybe at a different location than the official sub-grantee. Therefore, an official grant file should be maintained by both the official sub-grantee and the project site. These records are to be available at any time for review by DJCS.

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66. ADMINISTRATIVE MANUAL:

All pertinent information in regard to the Victim of Crime Act and amendments and all applicable federal and state laws, orders, circulars and regulations are updated and maintained in the appropriate administrative manual by sub-grantees

67. TRAVEL/TRAINING:

Any applicant receiving VOCA Grant funding for training must submit in writing to DJCS all request for training in writing for pre-approval of all training. Also, any VOCA grant-funded staff position who attends any training workshop or conference must submit a written narrative identifying the training, its purpose, what specific workshops were attended, and the useful information obtained that will assist in implementing the VOCA grant project. **All training must be approved in advance by DJCS** by submitting a written request (from project director) identifying the staff person who will be attending, the name of the conference and purpose, and attaching a brochure outlining the costs and the agenda.

Please note – sub-grantee representatives (project director and VOCA-funded staff positions/volunteers) may be required to attend training workshops deemed critical by DJCS.

68. VOCA FUNDED TRAINING EVENTS:

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with VOCA funds. A written request must be submitted to DJCS **90** days prior to entering into any agreements, for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies. All state agencies are required to work with the WV Coalition Against Domestic Violence and/or the WV Foundation for Rape Information and Services in acquiring appropriate speakers prior to the conference.

Please note – all VOCA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report. If a program charges registration fees, they must provide certificates and/or certification that participants actually attended training in order to be reimbursed for registration fees. They must include a sign-in sheet of participants to DJCS.

69. INTERAGENCY AGREEMENTS:

Where applicable, sub-grantee must develop a formal referral and inter agency agreements in a Memorandum of Understanding (MOU); copies of interagency agreements and referral Memorandum of Understanding are to be submitted with the application.

70. HIRING PROCEDURES:

Hiring procedures outlined in the grant application should be followed in hiring VOCA grant-funded staff positions. Staff hired must meet the qualifications outlined in the job description for the position. DJCS is to be advised in writing if there are any difficulties in filling VOCA grant-funded staff positions.

71. EQUAL TREATMENT FOR FAITH-BASED ORGANIZATIONS:

Such organizations receiving VOCA funds must ensure that services are offered to all victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the VOCA funded project. Further, participation in such activities by individuals receiving services must be voluntary.

72. ENSURING VICTIMS RIGHTS:

All funded programs/agencies will practice a "Victim Centered Approach". They are required to inform victims of their rights and ensure victims are afforded their rights.

73. ACTIVITIES THAT MAY COMPROMISE VICTIM SAFETY:

Applicants are strongly discouraged from proposing projects or supporting programs that include any activities that may compromise victim safety as outlined in the Victim of Crime Act.

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74. **AUDITS:**

All programs that meet the Audit Requirement under §200.501(a) will submit a copy of an audit to DJCS. Programs who complete an audit for other purposes must submit a copy of the audit within 30 days of completion. Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the Program Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations.

75. **BOARD OF DIRECTORS:**

Non-profit agencies are required to maintain a Board of Directors that will meet at least quarterly to review the status of grant objectives, to develop strategies for resolving any problems or barriers, and to perform periodic evaluations. Board Meeting minutes must be submitted with corresponding monthly reports. All state and local government agencies must submit any county commission minutes (which discuss the sub-grant or VOCA staff) or advisory board meeting minutes with the corresponding monthly reports.

76. **Printed Materials:**

Any brochures or materials printed with VOCA funds must be submitted to DJCS 30 days for pre-approval prior to printing. Subgrantee's that were awarded funding for brochures must submit a copy of the brochure to DJCS for pre-approval prior to printing and all brochures must be purchased within the first quarter of the grant cycle or the funds may be deobligated.

77. **DEBARMENT:**

Any funded agency that is debarred with the State of West Virginia or Federally must inform DJCS in writing within 30 days of becoming debarred and have a plan of action stating the steps to address this issue. Funds will be frozen and the sub-grantee has 30 days to address this issue and then funds may be deobligated.

78. **TEXT MESSAGING:**

Applicant and all funded agencies will develop and implement a written policy which bans employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

79. **VOLUNTEERS:**

The applicant must utilize at least one volunteer during the grant period for VOCA allowable activities, as well as VOCA-funded staff to implement the grant project. All sub-grantees will be required to submit a volunteer log quarterly. If a log is not submitted, DJCS will hold funds until it is submitted.

80. **MINIMUM TRAINING REQUIREMENT:**

All funded VOCA staff will be required to complete eight (8) hours per year of pre- approved victim assistance training. They must submit a certificate showing they completed this training. If this is not completed by June 30th the sub-grantee must submit in writing why they have not attended a training; when they will attend and what type of training they plan to attend to DJCS. This will be reviewed for compliance at grant reviews.

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81. **Network Policy & Protections**

All subgrantee's must have a policy that prohibits the viewing, downloading, and/or exchanging of pornographic material. Subgrantee's understand and agrees that – (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

82. **VOCA GUIDELINES:**

The Recipient assures that it will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404 (a)(2) and 1404 (b) (1) and (2), 42 U.S.C. 10603(a)(2) and (b) (1) and (2) and the applicable program guidelines and regulations; as required.

Specifically, the recipient certifies that funds under this sub-award will a)eligible victim assistance organizations 42 U.S.C. 1063 (a)(2); b) not be used to supplant State and local public funds that would otherwise be available for crime victim assistance; and c) be allocated in accordance with program guidelines or regulations implementing 42 U.S.C. 1063(a)(2)(A) and 42 U.S.C. 1063 (a)(2)(B) to, at a minimum assist victims in the following categories: sexual assault, child abuse, domestic violence, and underserved victims of violent crimes identified by the State.

83. **Project Director & Fiscal Officer Monitoring Requirement:**

The recipient acknowledges that the Project Director and Fiscal Officer of the grant are REQUIRED to be in attendance for the DJCS on-site monitoring visit.

84. **Using Arrest and Conviction Records in Making Employment Decisions.**

The OCR issued an advisory document for subrecipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 20 13), available at http://www.ojp.usdoj.gov//abouu'ocr/pdfs/UseofConviction_Advisory.pdf. Subrecipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, subrecipients should consult local counsel in reviewing their employment practices. If warranted, subrecipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs).

85. **Salary Increases**

Subgrantee's that are awarded an increase in Personnel/Contractual must apply the approved raises in salary within the first quarter of the grant cycle or the increased funds may be deobligated.

86. **Other Funds**

Subgrantee's that are awarded "Other" funding for general office supplies must purchase supplies quarterly or the funds may be deobligated.

87. **Computers and/or Office Equipment**

Subgrantee's that are awarded "Other" funding for computers and/or office equipment must purchase the approved items within the first quarter of the grant cycle or funds may be deobligated.

88. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website athttp://ojp.gov/funding/Part200UniformRequirements.htm.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the subgrantee is to contact DJCS and OJP promptly for clarification.

89. Compliance with DOJ Grants Financial Guide

Subgrantee agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2016 DOJ Grants Financial Guide").

90. Outstanding Audit Issues

The subgrantee understands and agrees that DJCS and/or OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

91. De Minimis

A subgrantee that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).

92. Fraud

All subgrantee's must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subgrantee, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig

93. Restrictions and certifications regarding non-disclosure agreements and related matters

No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the subgrantee --
   a) represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
   b) certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.
2. If the subgrantee does or is authorized to make subawards or contracts under this award --
   a) it represents that --
      1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
      2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
   b) it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

94. Performance Measures

The subgrantee must collect, maintain, and provide to DJCS & OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

95. Performance Measures II

The subgrantee agrees to submit performance reports on the performance metrics identified by DJCS and OVC, and in the time and manner required by DJCS & OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. Beginning October 1, 2015, the subgrantee agrees to submit such information monthly.

96. Non-Profit Financial Statements

All non-profit subgrantees of VOCA Assistance funding under this award are required to make their financial statements available online (either on the subgrantees, or another publicly available website). OVC will consider sub-recipient organizations that have Federal 501(c)(3) tax status as in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such financial statements.

97. Non-Profit Status Certification

All non-profit subgrantees of VOCA Assistance funding under this award are required to certify their non-profit status. Subgrantees may certify their non-profit status by submitting a statement to DJCS (to be placed in the grant file) affirmatively asserting that the subgrantee a non-profit organization, and indicating that it has on file, and available upon audit, either – 1) a copy of the recipient's 501(c)(3) designation letter; 2) a letter from the recipient's state/territory taxing body or state/territory attorney general stating that the recipient is a non-profit organization operating within the state/territory; or 3) a copy of the recipient's state/territory certificate of incorporation that substantiates its non-profit status. Subgrantees that are local non-profit affiliates of state/territory or national non-profits should have available proof of (1), (2) or (3), and a statement by the state/territory or national parent organization that the recipient is a local non-profit affiliate.

98.	Program Accountability – Federal Audit Requirements

I.) Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. If applicable, this grant shall adhere to the audit requirements set forth at the time of award.

§200.501(a) Audit required. A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.
(b) Single audit. A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
(c) Program-specific audit election. When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.
(d) Exemption when Federal awards expended are less than $750,000. A non-Federal entity that expends less than $750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

99.	Requirement to report potentially duplicative funding.

If the subrecipient currently has other active awards of federal funds, or if the subrecipient receives any other award of federal funds during the period of performance for this award, the subrecipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the subrecipient must promptly notify DJCS and the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DJCS or the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

100.	Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award).

The subrecipient ("subgrantees"), at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the subrecipient. The details of the subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

99.	OJP Training Guiding Principles.

Any training or training materials that the subrecipient ("subgrantee") at any tier-- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Sub grantees, available at http://ojp.gov/funding/ojptrainingguidingprinciples.htm.

100.	High-Risk Grantee.

The subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the subrecipient is designated as "high-risk" for purposes of the DJCS or DOJ high-risk grantee list.

101.	Compliance with DOJ regulations pertaining to civil rights and nondiscrimination- 28 C.F.R. Part 38.

The subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of28 C.F.R., a DOJ regulation, was amended effective May 4, 2016. Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to subrecipient ("sub grantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of federal Regulations (currently accessible at http://www.ecfr.gov/cgibin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

102.	Restrictions on "lobbying".

Federal funds may not be used by the subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government. Should any question arise as to whether a particular use of Federal funds by a subrecipient would or might fall within the scope of this prohibition, the subrecipient is to contact DJCS or OJP for guidance, and may not proceed without the express prior written approval of DJCS and OJP.

103.	Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016).

The subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at http://ojp.gov/funding/Explore/FY20 16-AppropriationsLawRestrictions.htm, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a subrecipient would or might fall within the scope of an appropriations-law restriction, the subrecipient is to contact DJCS and OJP for guidance, and may not proceed without the express prior written approval of DJCS and OJP.

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

The subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of infom1ation related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant. The subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712. Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

105.	Office for Victims of Crime (OVC) and/or Office of the Chief Financial Officer (OCFO) Authorization.

The subgrantee authorizes DJCS and the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO),and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. DJCS will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.

106.	Coordination of Victim Services Policy and Inter-Agency Referral Agreement.

Subgrantees must develop and implement a specific policy regarding how they refer victims to and collaborate with other services providers when the services offered at their facilities do not meet the needs of victims, including an "Inter-Agency Referral Agreement" which will be developed by the West Virginians Against Violence Committee and DJCS. A copy of the policy and Inter-Agency Referral Agreement" must be submitted to DJCS during the first fiscal quarter of the grant period. Subgrantees must also train all advocates and/or staff members who come in contact with victims on the proper execution of the referral policy.

107.	**Monthly Match Submission Requirement.**
	Subgrantees that are awarded $100,000 or more for the grant period must submit Match on a Monthly Basis.
108.	**Mandatory Technical Assistance Training.**
	All Subgrantees are required to send at least one representative to DJCS Mandatory Technical Assistance Training. The person(s) attending the training must be able to adequately train other VOCA funded staff on changes in reporting requirements and the correct way to collect and report data for the Subgrant Award Report and VOCA Performance Measures.
109.	**Cab/Bus Vouchers and/or Clothing Vouchers**
	Subgrantees awarded Travel/Training funding for Cab or Bus Vouchers or Other funds for Clothing Vouchers, must submit the DJCS Tracking Form, corresponding Invoices, and Proof of Payment to be reimbursed. Be advised DJCS will ONLY reimburse for those Vouchers that have been used by Victims of Crime and are appropriately documented on the required form and have been approved in the subgrantee's budget for this purpose.
110.	**Enforcing Civil Rights Laws**
	All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.
111.	**Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed $150,000.**
	. The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, $150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward). The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed $150,000)), and are incorporated by reference here.
112.	**Compliance with applicable rules regarding approval, planning, and report of conferences, meetings, trainings, and other events.**
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences. Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
113.	**Effect of Failure to Address Audit Issues**
	The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

114.	**Compliance with general appropriations -- law restrictions on the use of federal funds (FY 2016)**
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.
116.	**FFATA Compliance**
	The recipient agrees to comply with applicable requirements to report first-tier subawards of $25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at http://ojp.gov/funding/Explore/FFATA.htm (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
117.	**ACORN**
	Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
118.	**Non-discrimination of Students**
	The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

I certify that I have read the entire Standard and Special Conditions and Assurances of this grant program and agree to comply with these requirements.

T. Craig Jennings
Printed/Typed Authorized Official Name

SIGNATURE (Original) of Authorized Official

October 23, 2017
DATE

WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES	VOCA SUPPLEMENTARY SPECIAL CONDITIONS

Please be advised the West Virginians Against Violence Committee and the Division of Justice and Community Services have implemented supplementary special conditions for the VOCA 2017-2018 grant award. Failure to comply with these supplementary special conditions and all other grant conditions and assurances and program requirements may result in the deobligation of the VOCA award and could jeopardize your agency's ability to receive any future grant funding from the VOCA grant program.

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice and Community Services
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301

GRANTEE: Preston County Commission

1. Project Director

The Project Director will ensure all information is forwarded to **all** funded staff; this includes but is not limited to:

- Budgets
- Memos
- Surveys
- Changes in grant requirements
- Forms; ensure they receive all updated forms
- Training availability
- Civil Rights Compliance
- Ensuring all VOCA funded staff are aware of the purpose of the grant, the goals and objectives of the grant, and all Standard, Special and Supplemental Conditions of the grant.

2. VOCA funding limitations

VOCA Victim Assistance Funds cannot be used for any purpose that is either mandated by the court and/or by law as the responsibility of specific agencies. VOCA funds cannot be used for any investigation, prevention or prosecution function.

3. System Based Advocates

System based advocates serve a unique role in advocacy. VOCA funded system based advocates may only provide direct services to victims. In that role, system-based advocates may **not** do the following:

- Secretarial/ legal assistant/ paralegal work not related specifically to the victims you are assisting
- Writing subpoenas
- Collection of evidence
- Witness identification and/or notification
- Administering offender criminal background checks
- Activities directed at improving the criminal justice system's effectiveness and efficiency, which includes: witness notification and management, expert testimony at trial, victim/witness protection.

4. Purchase of Office Supplies/Computer Purchases, etc.

Purchase of office supplies must be on a monthly basis. The awarded funds are not intended to be spent in one lump sum at the end of the grant year. DJCS will not approve large purchases of office supplies at the end of the grant period, and those allotted funds will be deobligated. If awarded funds for computers or office equipment, those purchases **MUST** be pre-approved by DJCS and purchased before the end of the first quarter. If not purchased by the end of the first quarter, those funds will be deobligated.

5. Monthly and Annual Reports

All monthly reports must be submitted by all funded agencies to DJCS by the 20th of each month. The 60-day late condition will be upheld and any agency not submitting reports will lose that month's request for reimbursement. All other reports must be submitted by the due date required by DJCS.

I hereby acknowledge that I have read, understand, and will comply with these supplementary special conditions.

T. Craig Jennings — **SIGNATURE (Original) of Authorized Official**

October 23, 2017 — **DATE**

SIGNATURE (Original) of Project Director

DATE

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: [b] a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** [b] a. bid/offer/application b. initial award c. post-award	**3. Report Type:** [a] a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☒ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 1	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** Preston County Commission **Congressional District**, *if known*: 1	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** VOCA CFDA Number, *if applicable*: 16.575	
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $ 39,355	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less that $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: T. Craig Jennings Title: President Telephone No.: 304.329.1805 Date: 10/23/2017	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Mel Snyder, Prosecuting Attorney
Printed/Typed Project Director Name

Mel Snyder
SIGNATURE (Original) of Project Director

10/23/17
DATE

VOCA Grants Program		Budget Summary Page 3	
Applicant: Preston County Commission		**FEIN: 55-6000384** DUNS#: 161658356	
Category	**VOCA Grant Funds (A)**	**Matching Funds (B)**	**Total Funds (A + B)**
Personnel and Contractual	**$38,355**	**$5,333**	**$43,688**
Travel and Training	**$500**	**$0**	**$500**
Equipment	**$0**	**$0**	**$0**
Space	**$0**	**$4,506**	**$4,506**
Other	**$500**	**$0**	**$500**
Total Budget	**$39,355**	**$9,839**	**$49,194**
FUNDING STRATEGY			
Funding Source(s)	Amount	Status	
VOCA Grant Funds	**$39,355**	**(A)**	
Match	**$9,839**		
Total	**$49,194**		

* TOTAL FOR COLUMN A SHALL BE PLACED IN THE SPACE PROVIDED ON PAGE ONE FOR GRANT FUNDS REQUESTED.

VOCA Grants Program	Itemization of Funds By Category Page 4		
Applicant: Preston County Commission	Local Matching Funds	Requested VOCA Grant Funds	**Approved VOCA Funds (DJCS ONLY)**
Personnel and Contractual:			
F/T Victim Advocate salary		$45,000	**$35,490**
FICA 7.65%		$3,443	**$2,715**
Retirement 11%	$3,827	$57	**$77**
W/C 0.2066%		$93	**$73**
Insurance	$1,506		
Travel and Training:			
DJCS Pre-Approved In-state Travel/Training		$500	**$500**
Equipment ($5,000 or more "per unit"):			
Space (includes telephone):			
Office Space	$4,506		
Other:			
Postage & DJCS pre-approved Brochures/Booklets		$500	**$500**
Total Local Matching Funds	$9,839		$9,839
Total Federal Funds		$49,593	**$39,355**
Total Approved Project (DJCS ONLY)			$49,194

9:45 a.m. After School Explorers-Proclamation Keeping the Lights on After School

Commissioner Smith moved to authorize the President to sign the Keeping the Lights on After School Proclamation. Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith and Price voting yes. Motion carried. (See attached.)

Keeping the Lights On After School: A Proclamation

WHEREAS, the citizens of **Preston County** stand firmly committed to quality afterschool and out of school programs and opportunities because they:

- Provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults.
- Engage families, schools and community partners in advancing the welfare of our children.

WHEREAS, **After School Explorers** has provided and continues to provide significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality out of school programs are key to helping our children become successful adults.

WHEREAS, *Lights On Afterschool*, the national celebration of afterschool programs held this year on **October 26, 2017,** promotes the importance of quality afterschool programs in the lives of children, families and communities.

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 15.1 million children have no place to go after school.

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

WHEREAS, ALL ACROSS Preston County, West Virginia we are committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in a global economy.

THEREFORE BE IT RESOLVED that **the Preston County Commission** proclaims October 26th, 2017, as "Lights On Afterschool Day" AND BE IT FURTHER RESOLVED the **Preston County Commission** urges the citizens of **Preston County** to ensure that every child has access to a safe, engaging place where the lights are on after school and out of school times; AND BE IT FURTHER RESOLVED that these **Commissioners** enthusiastically endorse *Lights On Afterschool* and is committed to innovative afterschool programs and activities that ensure that the lights stay on and the doors stay open for all children after school.

Signed _____ Date 10-23-17

Signed _____ Date 10-23-17

Signed _____ Date _____

9:50 a.m. Susan Riddle Convention Visitors Bureau-Update

MORE! GREATER Morgantown WV
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Serving Monongalia and Preston Counties

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Municipal Tourism Partner Talking Points
September/ October 2017 Meetings

1) WV State Road Bond -- ***GMCVB requests all of our Tourism Partners support the Road Bond.***
2) Goodwill City Ambassadors -***The GMCVB requests all 5 Mon Co municipal tourism partners contribute $1,000 to the GCA's 2017 program.***
3) 2017 GMCVB Results – YTD positive marketing results – regional increased room night revenue, thus increased lodging tax.
4) Tourism Ambassador Program – GMCVB is recruiting EVERYONE to welcome guests!
5) Lodging Tax Ordinance – ***The GMCVB requests all municipalities adopt a standardized lodging tax ordinance to establish best practices (i.e. standardized collection, standardized forms, & standardized enforcement).***
6) GMCVB Engaging Businesses - "Mountaineer Deals Program"
7) GMCVB Communication – Tourism Partner Newsletter, & Newspaper Column
8) Municipal Issues Impacting Tourism –
   a. Lodging Tax Process
   b. Roads, roads, roads
   c. Reliable Regional Air Service
   d. Taxes/ Licenses
   e. Broadband Service
   f. Parking Fees
9) 2018 GMCVB Planning -
   a. Concierge Service on GMCVB website
   b. Bike app for GMCVB website
   c. Arts Collaborative Calendar integrated into GMCVB Events Calendar
   d. More, more, more

THANK YOU, THANK YOU, THANK YOU, FOR YOUR SUPPORT!
Because of YOUR SUPPORT, we are making a positive regional tourism impact.

Prepared by: Susan Riddle, GMCVB Executive Director
September 2017

CERTIFIED West Virginia Welcome Center

10:00 a.m. Sara Saurino, Preston County Parks and Recreation-Letter of Support for grant application

The committee is asking for the whole $600,000. to be broken down in four pieces in case they might consider funding some parts of the project. The first piece of the project is the reconstruction of the historic water tower across from the Civic Center at the old depot station as a visual icon. They are asking for $80,000 for this part of the project.

The second piece would fund 2 to 2 ½ miles of the trail. They are asking for $80,000. for this part of the project with matching funds of 20 percent. This trail is approximately 10 miles and begins at the old train depot station across from the Civic Center in Kingwood and ends behind the convenience store in Tunnelton.

The third piece is to provide clean up on Sisler Street and tear down an old white maintenance building at a cost of $40,000.

The remaining amount would be used to construct a simple restroom facility, a small parking area and a large community pavilion like the one in Oakland and/or Terra Alta. The pavilion could be rented out for activities, events, concerts, etc.

Commissioner Smith made a motion to approve a Letter of Support to the Hazel Ruby McQuain Charitable Trust for the WV Northern Rail-Trail Project. Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith and Price voting yes. Motion carried. (See attached.)

PRESTON COUNTY COMMISSION

T. Craig Jennings, President
Dave Price, Commissioner
Don Smith, Commissioner

TO: The Hazel Ruby McQuain Charitable Trust

FROM: The County Commission of Preston County

RE Grant submission from the Preston County Parks and Recreation Commission

DATE: October 23, 2017

The County Commission of Preston County enthusiastically endorses the grant submitted to the Hazel Ruby McQuain Charitable Trust by the Preston County Parks and Recreation Commission to support the development of the WV Northern Rail-Trail Project.

When completed, the amenities of the WV Northern Rail-Trail will provide the citizens of Preston County and the region a much needed venue for physical activity. The project will also contribute positively to the economy of Preston County and demonstrate how older resources that have fallen into disrepair can be rejuvenated and used in a way that benefits the entire community.

Upon completion of this phase of the WV Northern Rail-Trail development, use of the trail and trailhead facilities can begin.

The Preston County Commission encourages the Hazel Ruby McQuain Charitable Trust to partner with the Preston County Parks and Recreation Commission to help bring this important step of the WV Northern Rail-Trail project to fruition.

Thank you for your consideration.

T. Craig Jennings, President Dave Price, Commissioner Don Smith, Commissioner

cc: Preston County Parks and Recreation Commission

Preston County Courthouse Annex ▪ 106 West Main Street, Suite 202, Kingwood, West Virginia 26537
Phone (304)329.1805 ▪ Fax (304)329.3192 ▪ TDD (304)329.0652
www.prestoncountywv.org

There being no further business to come before the Commission, Commissioner Price declared the meeting adjourned at 10:55 a.m.

_____
Commissioner

_____
Commissioner

- - -o O o - - -

10/23/2017