

TouchPoint - Blank TouchPoint



TouchPoint Name: Terms and Conditions

Name:

Date: ____/____/____

Completed by:

Completed on behalf of:

Identifier:

Terms and Conditions

INSTRUCTIONS: This TouchPoint needs to be completed for each State Fiscal Year AND/OR whenever there is a change in staff (a new or additional ETO user).

State Fiscal Year:

<input type="checkbox"/> 2014-15
<input type="checkbox"/> 2015-16
<input type="checkbox"/> 2016-17
<input type="checkbox"/> 2018-19
<input type="checkbox"/> 2019-20

**CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)
OFFICE OF CHILD ABUSE PREVENTION (OCAP)**

Program Specific Terms and Conditions for Funding Recipients

By acceptance of any or all of the following: Community-based Child Abuse Prevention (CBCAP), Promoting Safe and Stable Families (PSSF), and/or Child Abuse Prevention, Intervention and Treatment (CAPIT) funds, the County agrees to comply with the terms and conditions detailed below. Failure to comply with these terms and conditions may result in the loss of funds and may be considered grounds for the suspension or termination of this grant.

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 1 of 11

This award is subject to the following terms, conditions and provisions:

PROGRAM STANDARDS

1. The provisions of Title II of Child Abuse Prevention and Treatment Act (CAPTA) [for Community-based Child Abuse Prevention program (CBCAP)] including all approved amendments or revisions.
2. The provisions of Title IV-B, Subpart 2 of the Social Security Act [for Promoting Safe and Stable Families program (PSSF)] including all approved amendments or revisions.
3. The provisions of Welfare and Institutions Code Sections 18960-18964 [for Child Abuse Prevention, Intervention and Treatment program (CAPIT)] including all approved amendments or revisions.

ADMINISTRATIVE REQUIREMENTS

1. The following regulations from Title 45 of the Code of Federal Regulations (CFR):
 - 2 CFR Part 225 - Cost Principles for State, Local, and Indian Tribal Governments;
 - 2 CFR Part 376 - Non-procurement Debarment and Suspension;
 - 45 CFR Part 16 - Procedures of the Departmental Grant Appeals Board;
 - 45 CFR Part 30 - Claims Collection;
 - 45 CFR Part 80 - Nondiscrimination Under Programs Receiving Federal Assistance through the U.S. Department of Health and Human Services, Effectuation of Title VI of the Civil Rights Act of 1964;
 - 45 CFR Part 81 - Practice and Procedure for Hearings under Part 80 of this Title;
 - 45 CFR Part 84 - Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance;
 - 45 CFR Part 86 - Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance;
 - 45 CFR Part 87 - Equal Treatment for Faith Based Organizations;
 - 45 CFR Part 91 - Nondiscrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance;
 - 45 CFR Part 92 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State, and Local, and Tribal Governments;
 - 45 CFR Part 93 - New Restrictions on Lobbying ;
 - 45 CFR Part 100 - Intergovernmental Review of U.S. Department of Health and Human Services Programs and Activities.

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 2 of 11

2. The following Circulars from the Office of Management and Budget (OMB):

OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments

OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations and the Single Audit Act of 1984, as amended.

3. Direct federal grants, sub-awards, or contracts under this program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this program. Regulations pertaining to the prohibition of Federal funds for inherently religious activities can be found on the HHS website at <http://www.os.dhhs.gov/fbc/wasgate21.pdf>.

4. Federal grant funds provided under this award may not be used by the grantee or any sub-grantee to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition is related to the use of Federal grant funds and is not intended to affect an individual's right or that of any organization, to petition Congress, or any other level, of government, through the use of other resources. (See 45 CFR Part 93.)

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 3 of 11



5. In accordance with Public Law 103-333, the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 1995," the following provisions are applicable to this grant award:

Section 507: "Purchase of American-Made Equipment and Products – It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made."

Section 508: "When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all States receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources."

6. In accordance with Part C of Public Law 103-227, the "Pro-Children Act of 1994," smoking may not be permitted in any portion of any indoor facility owned or regularly used for the provision of health, day care, education, or library services to children under the age of 18, if services are funded by Federal programs whether directly or through State or local governments. Federal programs include grants, cooperative agreements, loans and loan guarantees, and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions or facilities and used for inpatient drug and alcohol treatment.

The above language must be included in any sub-awards that contain provisions for children's services and that all sub-grantees shall certify compliance accordingly. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day.

Report Prompts:

SUB-RECIPIENTS AND VENDORS UNDER GRANTS

Sub-Recipients/Sub-Grantees and Vendors/Contractors

1. Sub-recipient/Sub-grantee and vendor determinations. County shall determine recipient type when sub-granting or contracting using Federal funds. Recipient type includes sub-grantees/sub-recipients, vendors, and contractors. OMB Circular A-133 establishes the standards for determining the difference between a sub-grantee and a vendor, based on the substance of the relationship with the County, rather than the form of the agreement.

A recipient is considered a sub-grantee and is subject to OMB Circular A-133 if it meets the following conditions:

- a. Determines who is eligible to receive what Federal financial assistance;**
- b. Has its performance measured against whether the objectives of the Federal program are met;**
- c. Has responsibility for programmatic decision making;**
- d. Has responsibility for adherence to applicable Federal program compliance requirements;**
- e. Uses the Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity;**

A recipient is considered a vendor and is not subject to OMB Circular A-133 if it meets the following conditions:

- a. Provides the goods and services within normal business operations;**
- b. Provides similar goods or services to many different purchasers;**
- c. Operates in a competitive environment;**
- d. Provides goods or services that are ancillary to the operation of the Federal program;**
- e. Is not subject to compliance requirements of the Federal program.**

Report Prompts:

A recipient is considered a vendor and is not subject to OMB Circular A-133 if it meets the following conditions:

- a. Provides the goods and services within normal business operations;
 - b. Provides similar goods or services to many different purchasers;
 - c. Operates in a competitive environment;
 - d. Provides goods or services that are ancillary to the operation of the Federal program;
 - e. Is not subject to compliance requirements of the Federal program.
2. No organization may participate in this project in any capacity or be a recipient of Federal funds designated for this project if the organization has been debarred or suspended or otherwise found to be ineligible for participation in Federal assistance programs under Executive Order 12549, "Department and Suspension." (See 2 CFR 376.) Counties must include a similar term and/or condition for all sub-awards or contracts awarded under this program. Prior to issuing sub-awards or contracts under this grant, the County must consult the ineligible parties list to ensure that organizations under funding consideration are not ineligible. The list is available on the Web at <http://www.epls.gov>.
3. The County is responsible for monitoring grant, sub-grant, sub-recipient and contract supported activities to assure compliance with Federal and State requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function, and activity.
4. County shall advise sub-grantees/sub-recipients of requirements imposed on them by Federal and State laws, regulations, and the provisions of grant agreements or contracts as well as any supplemental requirements imposed by the State or County. These include grant administrative requirements and cost principles according to recipient type. For example, nonprofit sub-recipients are subject to the cost principles at OMB Circular A-122; educational institution sub-recipients are subject to those at OMB Circular A-21; and commercial organization vendors or sub-contractors are subject to the cost principles under 48 CFR Part 31.
5. County will ensure that sub-recipients and sub-grantees expending more than \$500,000 or more in Federal awards during the sub-recipient/sub-grantee's fiscal year have an audit in compliance with the requirements of OMB Circular A-133.

Report Prompts:

FINANCIAL MANAGEMENT

1. Funds will be expended by the County in a manner that will maximize eligibility for federal financial participation.
2. Federal funds awarded under this program must not be used for construction or the purchase of land.
3. Funds awarded to County and/or service provider must be expended for the purposes for which they are awarded and within the time period allotted.
4. Any CBCAP funds received will be used to supplement, but not supplant, existing child welfare services, nor other County and local public funds designated for the start-up, maintenance, expansion, and redesign of community-based and prevention-focused programs and activities to strengthen and support families to prevent child abuse and neglect.
5. **Financial Reporting: Effective July 1, 2014 –** It is mandatory that the County will enter their grant spending plans (budgets) and expenditures into the OCAP's online data collection system. OCAP will no longer accept paper submissions of any expenditure reports either by mail, email or fax.
6. **Submission Schedule: Annual.** County must submit an annual expenditure report within 90 days following the end of the State Fiscal Year.
 - a. A spending plan (budget) must be submitted within in 60 days of the beginning of the State Fiscal Year.
 - b. A Final Expenditure Report is due 90 days following the end of State Fiscal Year.
7. Failure to submit financial reports in the online data collection system on time may be a basis for withholding financial payments, or the suspension or termination of the grant.

Report Prompts:

PROGRAM MANAGEMENT

1. Funded activities will address current unmet needs, demonstrate a high level of client satisfaction, and be evaluated for effectiveness.
2. County receiving any or all funds from the OCAP shall submit periodic progress reports and a final year-end program report using the OCAP's online data collection system. County reports will include, but are not limited to, outreach activities, unduplicated participant race/ethnicity, unduplicated participant service counts, and measurable outcomes achieved.
3. A description of the inventory of current unmet needs and current community-based and prevention-focused programs and activities to prevent child abuse and neglect, and other family resource services operating in the County, will be included with the County's Annual Performance Report.
4. The County has the capacity to ensure meaningful involvement of parents who are consumers and who can provide leadership in the planning, implementation, and evaluation of the programs and policy decisions in accomplishing the desired outcomes for such efforts.
5. The County or funded provider will engage in outreach activities to maximize the participation of racial and ethnic minorities, children and adults with disabilities, homeless families, and those at risk of homelessness, unaccompanied homeless youth, and members of other underserved or underrepresented groups.
6. The County will provide the OCAP all information necessary to meet federal reporting mandates.
7. The OCAP shall review and approve all spending plan or modifications to spending plans prior to any expenditures to ensure funding is allocated to allowable activities.
8. All program performance reports must adhere to the requirements set forth above and detailed in the OCAP's funding [Fact Sheets](#).
9. Failure to submit required financial and program narrative reports on time may be a basis for withholding payments or the suspension or termination of funds.

Report Prompts:



COUNTY CONTACT INFORMATION

1. County allocations will be communicated by CDSS via County Fiscal Letter and will be directed to the contact on record with the CDSS. CDSS

CONTACT INFORMATION

1. Programs:

California Department of Social Services
Office of Child Abuse Prevention
744 P Street Sacramento, California 95814
Phone: 916-651-6960
Email: ocappnd@dss.ca.gov

2. Fiscal: California Department of Social Services
Financial Management & Contracts Branch
744 P Street Sacramento, California 95814
Email: fiscal.systems@dss.ca.gov

County agrees to the Terms and Conditions described above and will execute funded programs in accordance with specific program requirements as described in the funding Fact Sheets published by the Office of Child Abuse Prevention.

Name

Agreed

Address

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 9 of 11

TouchPoint - Blank TouchPoint



Addressline1

City

County

Name

State/Province

Suite

Zip/Postal Code

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 10 of 11

TouchPoint - Blank TouchPoint



Phone Number

Email

Report Prompts:

TouchPoint: Terms and Conditions

Printed on: 7/14/16

Page 11 of 11