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Board of State and Community Corrections Proposition 47 Request for Proposals Frequently Asked Questions

1. What is the definition of a public agency?

For the purposes of this Request for Proposals (RFP) public agency means:

A county, city, whether a general law city or a chartered city, or city and county, the duly constituted governing body of an Indian reservation or Rancheria, a school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, entities that are legislative bodies of a local agency pursuant to subdivision (c) or (d) of Section 54952 of the Government Code, a housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, a state agency, public district, or other political subdivision of the state, or any instrumentality thereof, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income. (Pen. Code, §6046.1, subd. (c).)

2. How will grant funds be distributed over the full grant funding period? If an applicant received \$6M, would it balance out to approximately \$2M per year? Could an applicant ask for a greater portion of the funding on the front end?

Applicants requesting \$6 million do not have to distribute the funds evenly over the three years. For example, an applicant requesting \$6 million could budget for \$3 million in Year 1, and then \$1.5 million in Years 2 and 3 (or any combination thereof). The BSCC disburses grant funding on a reimbursement basis, projects selected for funding will be reimbursed on either a monthly or quarterly basis, depending on their selection.

3. What is the definition of Smaller or Larger scope? Please provide examples.

Smaller scope projects are those that request up to \$1 million for the entire grant period (August 2019 - May 2023). Larger Scope projects are those that request more than \$1 million and up to \$6 million for the entire grant period (August 2019 - May 2023). Examples:

Smaller Scope:

- Example a) \$500,000
- Example b) \$750,000
- Example c) \$990,000

Larger Scope:

- Example a) \$1,100,000
- Example b) \$3,500,000
- Example c) \$5,540,000

4. Is there an element of geographical diversity incorporated into the distribution of awards?

Distribution of grant funds by geography is not a consideration for this RFP. The highest rated proposals that meet the individual and overall minimum score threshold will be considered for funding (RFP, page 24).

5. For purposes of defining the eligible target population for participation in Proposition 47 services, is a citation considered an arrest?

Yes. A misdemeanor citation is considered an arrest, per California Penal Code Section 853.6.

6. In terms of population eligibility, the RFP states that this grant can serve youth and adults “who have been arrested, charged with, or convicted of a criminal offense”. Our question is, in order for individuals to obtain services, what type of documentation is required to confirm that they have been part of or have come in contact with the legal system? What formal documentation would be necessary? (example, formal arrest records, citations, verbal disclosure, etc.)

The type of documentation required will vary by applicant. Grant funded proposals should retain any documentation that is used to determine a participant’s eligibility for Proposition 47 services.

7. Is a Charter Management Company considered a public agency?

No. Please view the definition of Public Agency provided in response to question one.

8. Can counties design a program that involves both diversion programs and reentry services?

Yes. Diversion Programs are one of the required services and can be offered in conjunction with reentry services.

Please remember services and programs must be designed to serve people who have been arrested, charged with, or convicted of a criminal offense AND have a history of mental health issues or substance use disorders (RFP, page 11).

9. Can more than one Los Angeles City Department submit separate applications?

Yes. More than one Los Angeles City Department may apply for this grant. Any city may submit more than one application as long as each is from a different Department.

10. Can different departments from a County organization apply separately? For example, the Probation Department may submit an application and the Health Department may submit one. Is that correct?

Yes. Different departments within the same county may apply separately, with the exception of the County of Los Angeles. Only one application may be submitted on behalf of the County of Los Angeles and its subsidiary departments and agencies. Other cities and eligible non-county, public entities within Los Angeles County may still submit individual applications.

11. Due to Los Angeles County having the ability to receive a set-aside and only being able to submit a single joint proposal amongst their departments, is it possible for a Los Angeles City Department to apply as the Lead Agency and partner with a Los Angeles County Department who would receive funds from the Lead Los Angeles City Department? If so, is there any restrictions by either the City or County Department?

A Los Angeles City Department could apply as the Lead Agency and pass-through a portion of its grant award to a Los Angeles County department. A Los Angeles City Department and Los Angeles County department may not submit a joint proposal, as only one application may be submitted on behalf of the County of Los Angeles and its subsidiary departments and agencies. Pass-throughs to public agencies do not count towards the NGO required pass-through, which must be accounted for first as a percentage of the entire amount requested in the proposal.

12. Can two lead agencies apply together?

For the purposes of this RFP, the public agency is considered the Lead Agency. Two or more public agencies may partner to submit a joint proposal, but one must be designated as Lead Agency for contracting and accountability purposes. Joint proposals must comply with all other eligibility criteria. A public agency may not apply on both an individual and a joint proposal (RFP, page 6).

13. What if a small county does not have a viable non-governmental organization (NGO) to collaborate with? Does the lack of an NGO make a county ineligible? Are there exceptions?

The RFP requires all public agency applicants to subcontract with one or more NGOs for a minimum of 50 percent of the total funds requested as part of the application (RFP, page 6). There are no exceptions to this requirement.

14. Can a NGO apply to for this grant directly?

No. NGOs must partner with a public agency applicant and the public agency must submit the proposal packet.

15. Is there a formal period for submitting questions?

The BSCC will accept and respond to questions about this RFP from January 18, 2019 to February 28, 2019. Questions and answers will be posted on the BSCC website up to March 4, 2019 (RFP, page 1).

16. How do we avoid conflicts with the Advisory Board if we haven't finalized the application?

Government Code sections 1090 et seq. and Government Code sections 81000 et seq. (the Political Reform Act) are state conflict of interest laws. You should consult with your agency's counsel for information on local ordinances and codes that may pertain to your Local Advisory Committee.

17. Do existing grantees have to establish a new Local Advisory Committee or can they use an existing one?

Existing grantee may use an existing Proposition 47 Local Advisory Committee but must meet all required criteria (RFP, page 15). In addition, the public agency applicant must still submit a Local Advisory Committee Roster and include updated Letters of Agreement for the Local Advisory Committee (attachments D and E). Applicants cannot resubmit Letters of Agreement submitted in a prior proposal submitted to the BSCC.

18. The last bullet under target population reads "one who has been regarded as having a mental health issue or substance use disorder". How are you defining regarded, does it require a formal diagnosis?

No, it only needs to have been identified in some manner, even as a self-report or family/community member report. Grant funded projects will be required to document how provided services meet the target population criteria.

19. Is it necessary for the population (e.g., students) to have an actual mental health diagnosis? If so what type of documentation is necessary? In lieu of a formal diagnosis, would exposure to trauma or identification by a teacher suffice for a mental health diagnosis?

Services and programs must be designed to serve people who have been arrested, charged with, or convicted of a criminal offense AND have a history of mental health issues or substance use disorders.

For purposes of this RFP, a person has a history of mental health issues or substance use disorders if the person:

- has a mental health issue or substance use disorder that limits one or more of their life activities;
- has received services for a mental health issue or substance use disorder;
- has self-reported to a provider that they have a history of mental health issues, substance use disorders, or both; or
- has been regarded as having a mental health issue or substance use disorder (RFP, page 11)

20. For Non-Governmental Organizations is there a requirement for site control (e.g. to retain certain documentation)?

Grantees must require in their NGO subcontracts that NGOs retain program, fiscal, and administrative documentation that supports all expenses billed to the

Proposition 47 Grant. In addition, grantees must retain supporting documentation for the NGO criteria Assurances (RFP, page 7).

21. Do subcontracted community-based partners need to have non-profit 501(c)3 status?

No. However, NGOs must meet all NGO criteria (RFP, page 7).

22. How does an applicant describe its community partnerships when local rules prevent a public agency from naming community partners prior to completing the RFP process?

The RFP contemplates that lead agencies may not be able to enter into contracts with service providers prior to the deadline to submit applications. Instructions in the Budget Section state: “If a community partner has not been selected as of the date of the submission of the application, clearly identify the amount of grant funds that will be allocated as a placeholder.” RFP, page 82.

In addition, please review the Project Description Rating Criteria on page 77.

- (3.4) The service delivery approach for each service and/or program component is described clearly. Roles and responsibilities for all service providers (to include the Lead Agency and all partners) are clearly identified. The approach is multi-disciplinary and collaborative. A list of all partner agencies/organizations is attached.
- (3.5) The applicant describes the process used to select service providers and describes how it will include providers that best represent the needs and interests of the target population, including those with staff who are system-impacted or who have different educational levels and life experiences.

Service providers should be identified, if known, and Attachment J must be submitted with the application regardless as to whether service providers have been identified.

23. We are interested in applying for Proposition 47 and understand the 50% commitment to use grant funds for non-governmental community partner. Can you confirm any percentage requirement to commit County funds?

The RFP doesn't require applicants to commit any Public Agency funds (e.g. city, county, etc.). However, proposals are scored in part on how they leverage federal, state, and local funds or other social investments (RFP, pages 14 and 80).

24. Can grant funds be used for renovations or improvements to property?

Yes. The RFP prohibits the use of Proposition 47 Grant funds for the “acquisition of real property,” but does not prohibit funds being used for renovations or improvements to property (RFP, page 9)

25. Will leveraged funds be tracked and how will they be audited and monitored?

BSCC will track Grant and Leveraged funds in the same manner. Grant funded projects will retain supporting documentation for all expenses charged to the grant. Individual assistance will be provided to projects selected for funding.

26. Does the budget narrative count toward the 15-page maximum?

No. The Budget Narrative is capped at 6-pages and the Program Narrative is capped at 15-pages not including required attachments (RFP, page 70).

27. If Data Collection and Evaluation is subcontracted to a CBO or non-profit university, will the cost be included in the 50 percent pass-through requirement?

No. All funds dedicated to data collection and evaluation should be listed in line item 6 in the Budget Table. Regardless of who the applicant is subcontracting with this cost will not be counted toward the 50 percent pass-through requirement.

28. Does the Project Work Plan need to be submitted in Arial 12-point font with one-inch margins?

The Project Work Plan must fit on one page and should only include the top three goals of the project.

29. May applicants include a cover, table of contents, transmittal letter, and limited supplemental materials or is the submission limited to the items on the Checklist?

No. The submission is limited to the items on the Proposal Checklist (RFP, page 70). No other materials will be considered.

30. Are support letters or commitment letters from agency/CBO partners allowed or encouraged?

The Scoring Panel will only consider the items on the Proposal Checklist. No other materials will be considered.