

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**CURRICULUM DEVELOPMENT AND TRAINING:
DEPENDENCY COUNSEL PROGRAM
COMPETITIVE REQUEST FOR PROPOSAL**

RATING FORM

	Control #:
	Rater #:
APPLICANT:	
FUNDS REQUESTED:	
PREFERENCE POINTS: <input type="checkbox"/> zero <input type="checkbox"/> 2% <input type="checkbox"/> 5%	

CATEGORY

**TOTAL POINTS
POSSIBLE**

1. PROBLEM STATEMENT	20	
2. PLAN and IMPLEMENTATION	60	
3. BUDGET	10	
4. COMPREHENSIVE ASSESSMENT	20	
TOTAL.....	110	

Each of the above categories contains questions assigned a point value. The point scale is divided into five columns labeled **I, II, III, IV, and V**. The applicant's response to each question is evaluated on the following criteria:

- I. **ABSENT:** The response does not address the specific question or a response was not provided.
- II. **UNSATISFACTORY:** The response does not completely address the question. Information presented does not provide a clear understanding of applicant's intent, does not give detailed information requested by the RFP, or does not adequately support the proposal or the intent of the program.
- III. **SATISFACTORY:** The response addresses the question providing a clear understanding of the applicant's intent. Response adequately supports the proposal and the intent of the program.
- IV. **ABOVE AVERAGE:** The response is above average providing a clear and detailed understanding of the applicant's intent. The response presented a persuasive argument supporting the proposal and the intent of the program.
- V. **EXCELLENT:** The response is outstanding with clear detailed and relevant information exceeding the information requested. Response presented a compelling argument supporting the program.

	I	II	III	IV	V
1. PROBLEM STATEMENT (Maximum 20 points)	0	2	3	4	5
a. How well does the applicant describe its problem and the need for the Curriculum Development Training (CDT): Dependency Counsel Program?					
b. How well does the applicant describe its current system's response to the problem?					
c. How well does the applicant describe how providing the trainings will address the problem?					
d. How well does the applicant describe the target population in need of the trainings?					
2. PLAN AND IMPLEMENTATION (Maximum 60 points)	0	2	3	4	5
a. How well does the applicant describe its plan for accomplishing each of the objectives and program activities?					
b. How well does the applicant describe its documentation procedures and/or source documents to be used to demonstrate the objective has been achieved?					
c. How well does the applicant describe how it will establish an expert panel of legal professionals from each of the disciplines?					
d. How well does the applicant describe how the applicant will develop a Minimum Continuing Legal Education approved training curriculum?					
e. How well does the applicant describe the target population?					
f. How well does the applicant describe how these trainings will be advertised, publicized, and marketed?					
g. How well does the applicant describe the number of people to be trained?					
h. How well does the applicant describe how the qualifications, experience, and expertise of the selected trainers?					
i. How well does the applicant describe how locations will be determined?					
j. How well does the applicant describe how the cost of the trainings will be minimized in order to maximize the number of trainings offered?					
k. How well does the applicant describe how the trainings will be evaluated?					
l. How well does the applicant describe their agency's size, composition, primary mission, range and focus of services, and the role of the project within the agency?					
m. How well does the applicant describe the duties, responsibilities, time commitments, and qualifications of staff assigned to the project?					

	I	II	III	IV	V
PLAN AND IMPLEMENTATION (Cont'd)	0	2	3	4	5
n. How well does the applicant describe its history, knowledge, and experience in developing curriculums and providing trainings on issues related to child abuse case representation?					
3. BUDGET, including budget narrative (Maximum 10 points)	0	2	3	4	5
a. How well does the budget narrative support the proposal objectives and activities and the intent and requirements of the program?					
b. How well are the funds allocated in the Budget Category Forms? How well do the line-items support the proposal plan, objectives and activities of the program avoiding unnecessary expenditures?					
4. COMPREHENSIVE ASSESSMENT (Maximum 20 points)	0	5	10	15	20
How well does the proposal support the overall intent, goals, and purpose of the program?					

SUMMARY OF PAST PERFORMANCE POLICY

(Effective February 2003)

The following is a summary of OES' Past Performance Policy. A complete copy may be obtained by sending a written, fax or email request to the attention of the Deputy Director of Law Enforcement and Victim Services Division:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
Children's Section – Roseann St. Clair
3650 Schriever Avenue
Mather, CA 95655
Attn: CDT Dependency Counsel Program RFP
Fax: (916) 327-5674

1. General Policy

This policy is intended to result in a penalty to existing recipients having serious performance problems and is to be utilized only in connection with the RFP process and the awarding of grants for new funding cycles. It has been developed in consultation with OES' advisory groups.

2. Penalty Levels

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

3. Standard For Invoking This Policy

The standard for invoking either penalty is whether the applicant's compliance with grant terms and conditions falls **significantly** below average — far below the level to be expected of other recipients, and not minor incident(s) of noncompliance with OES policies.

a. Serious Performance Problems Eligible For Consideration

The following include types of performance problems which would qualify under this policy, but are not limited to:

- 1) significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of a material OES policy, term or condition of the grant, but only after the recipient had been provided:
 - a) technical assistance by OES, including a site visit if necessary, to remedy the violation;
 - b) at least one written notice (per violation); and
 - c) a reasonable opportunity to remedy the violation.

Such notice will be provided to the recipient's executive officer and will specify failure to remedy the violation may negatively impact the recipient's eligibility for future funding, including disqualification from the next RFP process.

It is not necessary for a criminal conviction to have occurred for OES to consider actions appearing to constitute fraud, embezzlement, mishandling of funds, or other types of statutory violations. OES must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem(s);
- 2) whether the problem or problems identified were intentional;
- 3) whether the problem or problems revealed dishonest behavior by the applicant;
- 4) whether the interests of the state or the public were harmed by the problem or problems;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior;
- 6) whether the problem or problems have been documented objectively; and
- 7) whether OES has attempted to assist the recipient in remedying the problem(s).

c. Specific Examples

Performance problems should be considered on a case-by-case basis, with the totality of the circumstances to be considered. The following examples are not intended to be binding or in any way restrictive of OES' authority to determine the appropriate penalty in any particular case:

- 1) OES conducts a monitoring visit of a project, and makes the following findings:
 - a) the shelter failed to pay overtime on two occasions;
 - b) three timesheets did not contain a supervisor's approval; and
 - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to implement the monitoring recommendations. A follow-up with the recipient four months later shows the monitoring findings have been corrected.

Penalty: None

- 2) During an audit, it is discovered a year ago an employee of a project has embezzled \$300 of OES funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the office of the district attorney for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises (provides OES with an outline of new procedures) to better supervise its employees. No other problems with the recipient are known.

Penalty: Level B

- 3) A project has agreed to provide victim advocacy services in County X. The project spends \$40,000 on other things and provides no such services as documented in the monitoring report. However, the project states on its OES report the services are being provided. OES refers the matter to the office of the district attorney for prosecution, but no additional steps have yet been taken.

Penalty: Level A

5. Notification to the Applicant and Appeal of Decision

A letter will be sent by certified mail to the applicant denying funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding pursuant to the Appeals Guidelines.