

# **REQUEST FOR APPLICATIONS**

**RFA # GDO—SAF—17**

**District of Columbia**

**Office of the State Superintendent of Education (OSSE)**



## **FFY 2017 Scholarships for Opportunity and Results (SOAR) Act Facilities Grant**

**Request For Application (RFA) Release Date**

May 11, 2018

**Pre-Application Conferences (Mandatory)**

May 22 and May 25, 2018

**Notice of Intent to Apply Deadline (Mandatory)**

May 25, 2018

**Application Submission Deadline**

June 25, 2018

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**APPLICATION CHECKLIST**  
**FFY 2017 SOAR Act Facilities Grants**

- The applicant submitted a Notice of Intent to Apply on or before **Friday, May 25, 2018**. The Notice of Intent to Apply form can be found in Appendix A and on the OSSE website.
- The applicant attended one of the two **mandatory** pre-application webinars. Please see Request for Application (RFA) Section 2 for webinar dates, times, and registration.
- The applicant completed all steps required by the RFA and submitted a complete application, through OSSE's Enterprise Grants Management System (EGMS) that contains all the required information and attachments. Please see RFA Section 3 for an overview of the application components.

*Please note: All required application elements must be submitted by entering information directly into the required sections in EGMS. Unless otherwise stated in the application, information submitted via attachment will be considered as supplemental materials only.*

- The application adheres to the directions and criteria of each section of this RFA.
- The application was submitted **by 3 p.m. on Monday, June 25, 2018**, through EGMS.

**PLEASE NOTE**

**Applications are due by 3 p.m. on Monday, June 25, 2018.**

**The application deadline will be strictly enforced. Applications submitted after 3 p.m. EST on Monday, June 25, 2018 will not be reviewed.**

All applications must be submitted through the Enterprise Grants Management System (EGMS). For more information about EGMS, please visit <http://osse.dc.gov/service/enterprise-grants-management-system-egms>

This application will be open for 30 business days. Please avoid last minute technical submission issues by submitting early. OSSE strongly recommends submitting your application at least one day early to ensure that avoidable technical issues do not cause you to miss the submission deadline.

**REQUEST FOR APPLICATIONS (RFA) # GDO-SAF-17****Section 1: General Information****1.1 Introduction****Overview of the SOAR Act**

As a part of a three-sector federal funding approach, the Scholarships for Opportunity and Results (SOAR) Act, Pub. L. 112-10, 125 Stat. 199, authorizes funding “to improve and expand quality public charter schools in the District of Columbia.” § 3004(b)(2). SOAR Act funds for District of Columbia (DC) charter schools are provided to the Office of the State Superintendent of Education (OSSE) through the US Department of Education (USED) as a grant. The SOAR Act also provides funding for District of Columbia Public Schools (DCPS) and the Opportunity Scholarship Program (OSP) for DC students to attend private schools.

In April 2012, DC and USED signed a memorandum of understanding (MOU) regarding the administration of the SOAR Act funds. The MOU requires OSSE to submit to USED an annual proposal for the use of funds, including funding priorities. Each year, OSSE’s Office of Public Charter School Financing and Support (OPCSFS) conducts stakeholder engagement prior to submitting the application. OPCFS sought stakeholder feedback during the summer of 2017 prior to submitting the FFY 2017 application. USED approved the application and issued a Grant Award Notice (GAN) to OSSE on Dec. 15, 2017.

**Charter Sector SOAR Funding**

Through the approved application and grant award, OSSE provides SOAR funding to charter schools through five grant programs and support of the My School DC common online lottery:

<b>Project Name</b>	<b>Applicant Type</b>	<b>Budget</b>	<b>Grant Type</b>
1. Academic Quality Grants	Charter LEAs	\$5,964,566.56	Formula
2. Grants to Support Early Childhood Education	Charter LEAs	\$575,433.44	Formula
3. Facilities Grants	Charter LEAs	\$4,000,000.00	Competitive
4. Grants to Non-Profit Third-Party Charter Support Organizations	Non-Profit Organizations	\$2,000,000.00	Competitive
5. Grants to Non-Profit Third-Party Teacher Pipeline Organizations	Non-Profit Organizations	\$1,500,000.00	Competitive
6. My School DC Common Lottery	n/a	\$250,000.00	n/a

## **1.2 Purpose of Funds**

Through this RFA, OPCSFS is soliciting proposals from eligible DC public charter schools for the following grant program:

- **Facilities Grants**
  - The purpose of this funding program is to provide high-quality public charter schools with funds to renovate former DCPS (or other District-owned) facilities that are leased from the District or to renovate facilities that are owned by charter schools.
  - Proposed projects must 1) increase the total number of seats available at a high-quality charter school, or 2) increase the quality of existing seats at a high-quality charter school.

## **1.3 Source of Funding**

The U.S. Department of Education, through the District of Columbia School Choice Incentive Program, 84.370C, Public Law 108-199, III, District of Columbia School Incentive Act of 2003; Scholarships for Opportunity and Results Act, effective April 15, 2011 (Pub. L. 112-10; 125 Stat. 201). Federal Award Identification Number (FAIN) U370C180001.

## **1.4 Requirements of Funding**

In addition to the requirements of this RFA, the assurances made in the submitted application, and the terms of the Grant Award Notice (GAN) issued by OSSE to the subgrantee, a key condition for receiving these funds is compliance with activities necessary to carry out a mandated evaluation of the Opportunity Scholarship Program (OSP), as specified in Section 3011(a)(1) of the SOAR Act. Pursuant to this section, the U.S. Department of Education's Institute of Education Sciences (IES) is required to evaluate annually the performance of students who applied to the OSP (Sec. 3009). Because some OSP applicants will be enrolled in public charter schools, it will be necessary for IES and its evaluation contractor to collect data on and from public charter school campuses once each school year during the applicable grant period. Please be advised that noncompliance of the charter school with the terms and conditions stated in the SOAR Act GAN may result in the withholding of SOAR Act funds administered by OSSE. All awardees must also comply with the Davis-Bacon and Related Acts (40 U.S.C. 3141 *et seq.*), as applicable.

## **1.5 Funds Available and Funding Period**

At least \$4,000,000.00 is available for awards through this RFA. OSSE will provide up to \$750,000 per award. Awards are limited to one per charter local educational agency (LEA). The duration of the Facility Grant is for a period of two years from the grant award date.

*Please note: LEAs must provide site control evidence of the former District-owned facility or current charter-owned facility within 180 days of award. If site control evidence is not provided, the grant award will be terminated in full and the LEA must return any expended funds. Site control evidence may include executed lease agreements, purchase agreements, building permits, and mortgage deeds of trust.*

**1.6 Eligibility**

An eligible applicant meets all of the following criteria:

- Must be a DC public charter school;
- May not have any Tier 3 campus(es) or grade span(s) on any DC Public Charter School Board (PCSB) 2016-17 Performance Management Framework (PMF);
- Must meet a threshold of quality based on the DC Public Charter School Board (PCSB) 2016-17 Performance Management Framework (PMF):

<b>Framework</b>	<b>Eligible 2016 School Tiers</b>
Early Childhood, Elementary School, and Middle School Performance Management Framework (EC/ES/MS PMF)	Tier 1 or Tier 2 (score of 50 or higher)
High School Performance Management Framework (HS PMF)	Tier 1 or Tier 2 (score of 50 or higher)
Adult Education Performance Management Framework (AE PMF)	Tier 1 or Tier 2
Alternative Accountability Framework (AAF)	Met 100 percent of academic goals Met 67.7 percent of all other goals

- For LEAs with multiple PMF scores, the school(s) or campus(es) for which the facility grant funds will be used must meet the eligibility requirement.
- Must provide site control evidence of the former District-owned facility or charter-owned facility within 180 days of award. If site control evidence is not provided, the grant award will be terminated in full and the LEA must return any expended funds. Site control evidence may include executed lease agreements, purchase agreements, building permits, and mortgage deeds of trust.

## 1.7 Permissible Use of Funds

The funds associated with this RFA are available strictly on a reimbursement basis and may only be used for allowable grant project expenditures during the grant period as follows:

- All costs must:
  - Meet requirements of permissible use of Federal Funds within EDGAR 34 CFR Part 75, 2 CFR Part 200 as adopted in 2 CFR Part 3474, 2 CFR Part 180 as adopted in 2 CFR 3485;
  - Align with and support the project described in the charter LEA's application; and
  - Support renovations and reconstruction, both soft and hard costs, which may include exterior reconstruction, interior reconstruction, upgrades to systems, and the creation of new or improved academic and/or physical fitness space.

*Please note:* Funds may only be used for the site described in the original application. If the charter LEA does not have control of the identified site, the grant award will be terminated in full and the LEA must return any expended funds.

All grant project budgets will be reviewed by a review panel, as well as OPCSFS staff, to ensure that planned expenditures are allowable and are appropriate, reasonable, and necessary to support the grant objectives. Additional guidance about standards for determining costs for federal grants is available from The Federal Register at:

<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>.

## **Section 2: Schedule**

### 2.1 RFA Release

The release date of the RFA is May 11, 2018. The RFA is available online at [www.osse.dc.gov](http://www.osse.dc.gov).

### 2.2 Pre-Application Conference

The mandatory pre-application webinars will be held on the following dates and times:

- Facilities Grants – Tuesday, May 22, 2018, from 2 p.m. to 3 p.m.
  - To register for this webinar, visit:  
<https://attendee.gotowebinar.com/register/119056608706048769>
- Facilities Grants – Friday, May 25, 2018, from 10 a.m. to 11 a.m.
  - To register for this webinar, visit:  
<https://attendee.gotowebinar.com/register/1227232388108931073>

Each interested charter local educational agency (LEA) must have at least one representative attend one of the above webinars in order to meet the attendance requirement for this grant. Webinar attendance is tracked electronically through registration and online attendance. The LEA representative should be someone who is employed directly by the charter LEA. Each attendee may only represent one charter LEA.

### 2.3 Intent to Apply

All eligible charter LEAs seeking to receive funding under this RFA must submit a Notice of Intent to Apply (Appendix A), signed by an authorized official of the LEA, via email to [opcsfs.funding@dc.gov](mailto:opcsfs.funding@dc.gov) on or before **May 25, 2018**. **Failure to submit a Notice of Intent to Apply will result in disqualification and the LEA's application will not be reviewed.**

### 2.4 Contact Person(s)

Applicants are advised that the following OSSE staff members are the authorized contact persons for this grant competition:

- Adam E. Morris, program analyst, [AdamE.Morris@dc.gov](mailto:AdamE.Morris@dc.gov)

### 2.5 Applications Due

Applications are due June 25, 2018, by 3 p.m. and must be submitted through EGMS. **Applicants are encouraged to submit applications early to avoid any technical difficulties. OPCSFS strongly encourages submitting applications at least one day early to ensure that avoidable technical issues do not cause you to miss the submission deadline.**

### 2.6 Updates

Information and updates regarding the grant competitions will be emailed to all potential applicants that submit a Notice of Intent to Apply and attend the mandatory pre-application conference webinar specific to this grant.

### 2.7 Awards Announcement

Awards will be announced via EGMS, email, and the OSSE website. OSSE will disseminate grant award notifications following the awards announcement.

## **Section 3: Application**

### **3.1 Application Content**

The application in EGMS, contains all of the following sections or "tabs." Unless noted, each section must be completed as instructed in the system:

- Section 1 – Overview Pages (*informational; nothing to complete*)



- General Information (*informational; nothing to complete*)
  - Review Panel (*informational; nothing to complete*)
  - Scoring Rubric (*informational; nothing to complete*)
- Section 2 – Contact Information
- Section 3 – Project Description
  - Project Description
- Section 4 – Project Data
- Section 5 – Main Application
  - Data Sources
  - Project Need
  - Project Description
  - Theory of Action
  - Logic Model
- Section 7 – Detailed Planning Expenditures
  - Budget Overview
  - Summary of Planned Expenditures
  - Salaries and Benefits
  - Professional Services
  - Equipment
  - Supplies and Materials
  - Other Objects
  - Sources and Uses
  - Budget Summary
- Section 8 – Supporting Documentation
- Section 9 – Assurances
- Section 10 – Submit (*application is not complete until it is submitted through this tab*)
- Section 11 – Application History (*the history of who has accessed and modified the application may be viewed through this tab*)
- Section 12 – Application Print (*hard copies of applications may be printed through this tab*)

## **Section 4: Scoring**

### **4.1 Review Panel**

The grants described in this RFA will be awarded competitively. A panel of external reviewers will be convened to review, score, and rank each application. The review panel will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge, or related experiences. The application will be scored against a rubric and each application will

have multiple reviewers to ensure accurate scoring. The complete rubric can be found in EGMS for review and as Appendix B of this RFA. Upon completion of the panel's review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). OSSE will make all final award decisions.

## **Section 5: Award Administration**

### **5.1 Decision and Notifications of Awards**

Each awarded applicant will receive a Grant Award Notice (GAN) generated through EGMS that will include the award amount, award agreement, terms and conditions of the award, and any supplemental information required.

### **5.2 Monitoring**

All awards will be reviewed during the grant period for compliance with programmatic and fiscal requirements. OSSE's Division of K12 Systems and Supports uses a coordinated, risk-based monitoring approach. The type of monitoring that the subgrantee will receive (desktop or on-site) will vary depending on its designation as a high, medium, or low risk subgrantee. Please review the risk-based monitoring guidance for more information:

<http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Risk-Based%20Monitoring%20Guidance.pdf>

### **5.3 Corrective Action and Termination of Funding**

In the event that programmatic, financial, or documentation conditions of the grant are not being met in an appropriate and timely fashion, progressive actions will be taken, at the discretion of OSSE, up to and including the termination of funding and requiring the return of funds. A project which is terminated will be subject to the same requirements regarding audit, recordkeeping, and submission of reports as a project which runs for the duration of the project period.

### **5.4 Confidentiality**

Except as otherwise provided by local or federal law, no recipient of the grant shall use or reveal any research, statistical information, or personally identifiable information furnished by OSSE for any person or for any purpose other than that for which such information was obtained in accordance with the OSSE program funded. Any identifiable personal information, and any copy of such information, shall be immune from legal process and shall not, without the written consent of the person identified in the information, be admitted as evidence or used for any purpose in any action, suit, or judicial, legislative, or administrative proceeding. Any grantee agrees to comply with all requirements of the Family Educational Rights and

Privacy Act and implementing regulations (20 U.S.C. § 1232(g); 34 CFR Part 99), including the protection of personally identifying information in education records.

### **5.5 Nondiscrimination in the Delivery of Services**

The grant recipient shall comply with the District of Columbia Human Rights Act of 1977, as amended, (D.C. Official Code § 2-1401.01 *et seq.*) which prohibits discrimination based on race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, status as a victim of an interfamily offense, or place of residence or business.

### **5.6 Appearance of a Conflict of Interest**

All grant recipients shall ensure that no individual in a decision-making capacity will engage in any activity, including participation in the selection of a vendor, the administration of an award, or an activity supported by award funds, if the appearance of a conflict of interest would be involved. An appearance of a conflict of interest would arise when the individual, any member of the individual's immediate family, the individual's partner; or an organization that employs, or is about to employ, any of the aforementioned, has a financial or personal interest in the firm or organization selected for a contract.

### **5.7 Terms and Conditions**

- Funding for this award is contingent on available funds. The RFA does not commit OSSE to make an award.
- OSSE reserves the right to accept or deny any or all applications if OSSE determines it is in the best interest of OSSE to do so. OSSE shall notify the applicant if it rejects that applicant's proposal. OSSE may suspend or terminate an outstanding RFA pursuant to its own grant making rule(s) or any applicable federal or local regulation or requirement.
- OSSE reserves the right to issue addenda and/or amendments subsequent to the issuance of the RFA, or to rescind the RFA.
- OSSE shall not be liable for any costs incurred in the preparation of applications in response to the RFA. Applicant agrees that all costs incurred in developing the application are the applicant's sole responsibility.
- OSSE may conduct pre-award on-site visits to verify information submitted in the application and to determine if the applicant's facilities are appropriate for the services intended.
- OSSE may enter into negotiations with an applicant and adopt a firm funding amount or other revision of the applicant's proposal that may result from negotiations.

- OSSE shall provide the citations to the statute and implementing regulations that authorize the grant or sub grant; all applicable federal and District regulations; payment provisions identifying how the grantee will be paid for performing under the award; reporting requirements, including programmatic, financial and any special reports required by OSSE; and compliance conditions that must be met by the grantee.
- If there are any conflicts between the terms and conditions of the RFA and any applicable federal or local law or regulation, or any ambiguity related thereto, then the provisions of the applicable law or regulation shall control and it shall be the responsibility of the applicant to ensure compliance.

Appendix A

**Official Intent to Apply Notification**  
**(Must be received by OSSE no later than May 25, 2018)**  
**(PDF Submission Preferred)**

**TO:** OSSE Office of Public Charter School Financing and Support  
[opcsfs.funding@dc.gov](mailto:opcsfs.funding@dc.gov)

**FROM:** \_\_\_\_\_  
(LEA or Organization Name)

**RE:** Intent to Apply for FFY2017 Scholarships for Opportunities and Results (SOAR)  
Act Grant(s)

LEA or Organization Name: \_\_\_\_\_

LEA or Organization Address: \_\_\_\_\_

\_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person Telephone: \_\_\_\_\_

Contact Person Email: \_\_\_\_\_

**This Intent to Apply is for the following SOAR Act Grants:**

Please place an "x" next to all of the grants for which the LEA or organization intends to apply:

\_\_\_\_\_ Facilities Grant

\_\_\_\_\_ Third Party/Charter Support Organization Grant

***I understand that the deadline for these grant applications is 3 p.m. on Monday, June 25, 2018, and that late applications will not be reviewed.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(LEA or Organization Official)

**Appendix B**

**Scoring Rubric**

Instructions:

Choose the radio button that corresponds with your answer to the rubric question. Justify your answer in the comments section.

Score Not Assignable	Limited/ Weak	Fair	Good	Strong/ Exceptional
No response or information/ information doesn't answer prompt question	Attempts to answer prompt	Mostly answers prompt	Fully answers prompt	Answers prompt in depth; reviewer has no questions
Information, if provided, is unclear or hard to understand	Missing a lot of requested information/ unclear	Missing some of requested information/ mostly clear	All requested information provided/ clear	All requested information provided/ clear, highly focused, coherently integrated answers
Inappropriate answer	Appropriate answer with limited details	Appropriate answer with details; answer is not well expressed	Appropriate answer with details; answer is well expressed	Appropriate, well- articulated answer that is extremely detailed and shows a clear and relevant path to success
Strongly disagree	Disagree	Slightly agree	Agree	Strongly agree

The applicant has received a prior SOAR facilities grant. (Yes/No radio button worth 0 points)					
Project Data (8):	Score Not Assignable	Limited/ Weak	Fair	Good	Strong/ Exceptional
The applicant has clearly shown that the project will increase the number of high-quality seats offered or the quality of current seats. (max 4)	0	1	2	3	4

The applicant provided a clear explanation of steps they have taken to turn the school into a community anchor. (max 4)	0	1	2	3	4
<b>Needs Assessment (12):</b>	Score Not Assignable	Limited/Weak	Fair	Good	Strong/Exceptional
The applicant gave a clear description of the data used to assess need, including each quantitative and qualitative data source marked in the data sources checklist. (max 6)	0	1.5	3	4.5	6
There is a clear link between the data used and the need described. (max 6)	0	1.5	3	4.5	6
<b>Project Description (24):</b>	Score Not Assignable	Limited/Weak	Fair	Good	Strong/Exceptional
There is a clear link between need(s) and the project. (max 4)	0	1	2	3	4
All four sections are answered comprehensively. (max 4)	0	1	2	3	4
The project is clearly described. (max 16)	0	4	8	12	16
<b>Theory of Action (8):</b>	Score Not Assignable	Limited/Weak	Fair	Good	Strong/Exceptional
The if-then-because statement clearly shows how and why the project will be successful. (max 4)	0	1	2	3	4
The success of the project is based on credible research and/or a history of demonstrated success. (max 4)	0	1	2	3	4
<b>Logic Model (12):</b>	No	Yes			
At least one logic model is provided (Yes/No). (max 2)	0	2			

	Score Not Assignable	Limited/Weak	Fair	Good	Strong/Exceptional
All elements of the logic models (Inputs, Activities, Outcomes, Outputs, and Measurements/ Tools) are well-defined. (max 4)	0	1	2	3	4
The outcomes and outputs are feasible within a two year timeline. (max 2)	0	0.5	1	1.5	2
The logic models demonstrate a clear overview of the described project. (max 4)	0	1	2	3	4
<b>Overall (16):</b>	<b>Score Not Assignable</b>	<b>Limited/Weak</b>	<b>Fair</b>	<b>Good</b>	<b>Strong/Exceptional</b>
1. The overall project is well thought out. (max 4)	0	1	2	3	4
2. The project is likely to be successful. (max 8)	0	2	4	6	8
3. The project is designed to ensure sustainability.(max 4)	0	1	2	3	4
<b>Budget (20):</b>	<b>Score Not Assignable</b>	<b>Limited/Weak</b>	<b>Fair</b>	<b>Good</b>	<b>Strong/Exceptional</b>
1. Costs seem allowable (necessary to the project, allocable, and reasonable). (max 8)	0	2	4	6	8
2. Budget line items and summary of costs align with the described project. (max 8)	0	2	4	6	8
3. Proposed budget can reasonably be expended within two years. (max 4)	0	1	2	3	4



## **Appendix C**

### **Program Specific Assurances**

Applicants will be required to attest to the following program specific assurances:

#### **As the duly authorized representative of the applicant I certify that the applicant:**

1. Will comply with activities necessary to carry out a mandated evaluation of the Opportunity Scholarship Program (OSP), as specified in Section 3011(a)(1) of the SOAR Act.
2. Will comply with the Davis-Bacon and Related Acts (40 U.S.C. 3141 et seq.), as applicable.
3. Will seek and receive approval from OSSE before implementing any project changes with respect to the purposes for which the proposed funds are awarded. Retroactive amendments are not allowable.
4. Will submit reports describing the implementation of the proposal as well as its impact on improving school performance and educational outcomes and/or increasing the number of high quality public charter school seats as outlined in the performance agreement.
5. Will expend all funds by the end of the grant period. The LEA assures at least quarterly submissions of reimbursement workbooks.
6. Will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
7. Will submit to OSSE any LEA and campus information that OSSE or the U.S. Department of Education may request for reporting and evaluation purposes in a timely and accurate manner.
8. Will comply with Federal requirements regarding charges for personnel services (payroll), requirements for proper documentation of payroll records and appropriate time and effort reporting. Salaries and wages of employees chargeable to more than one grant program or cost objective, if applicable, will be supported by appropriate time distribution records.
9. Acknowledges and agrees that the completion of this application, or the approval to fund an application, will not be deemed to be a binding obligation of OSSE until such time as the Grant Award Notification (GAN) is delivered to the recipient.
10. Will comply with all applicable federal grants management requirements, including but not limited to the Uniform Guidance: Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Parts 200 and 3474.

11. Recognizes that OSSE approval of an application does not relieve the LEA of its responsibility to comply with all applicable requirements.
12. Will have financial management systems, procurement systems, and equipment and inventory management systems that enable the LEA to demonstrate compliance with federal grants management requirements, including the requirement that all expenditures made with federal funds are necessary, reasonable, allocable, and legal.
13. The applicant has the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments;
14. We will ensure that the facilities under our school or organization's ownership, lease or supervision, which shall be utilized in the accomplishment of the project are compliant with all District statutes, codes, and regulations

**Central Data Assurances**

Applicants will be required to attest to the following specific assurances:

1. If the grant is federally funded, recipient assures that it shall file a disclosure form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of any previously filed disclosure under 28 CFR Part 69, "New Restrictions on Lobby." See 28 CFR § 69.110(c).
2. If the grant is federally funded, recipient assures that it shall give immediate written notice to OSSE if it failed to disclose information required by federal regulations implementing 2 CFR Part 180, "Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," or if due to changed circumstances, the applicant or any of its principals now meet any of the following criteria:
  - A. Are presently debarred, suspended, proposed for debarment, excluded, disqualified, 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 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, tax evasion, or receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility.

- C. Are presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in subparagraph (B) of this certification.
  - D. Have within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default. See 2 CFR §180.350.
3. We will immediately notify OSSE, in writing, if either of the following occurs during the grant period:
    - A. We or any of our officers, partners, principals, members, or key employees is indicted or has charges brought against them and/or is convicted of (i) of any crime or offense arising directly or indirectly from the conduct of the applicant's organization; or (ii) any crime or offense involving financial misconduct or fraud;
    - B. We or any of our officers, partners, principals, members, or key employees becomes the subject of legal proceedings arising directly from the provision of services by the organization.
  4. We shall comply with all terms and provisions of the *Subgrantee Policy for Carryover and Reallocation* issued January 1, 2012, as may be amended.
  5. We shall comply with all terms and provisions of the *OSSE Monitoring Policy*, as may be amended.
  6. We shall provide, upon request and pursuant to any timelines and/or formatting requirements established by OSSE in the OSSE Data Collection Handbook, as amended, or other OSSE data collection directive or policy, any records or data for the purposes of compliance with the federal or state data collection and reporting requirements, including ED Facts, compliance with federal or state grant administration requirements, inclusion, and/or preparation of the Annual School Report Card.
  7. We are able to maintain adequate files and records and can and will meet all grant reporting requirements;
  8. Our fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures whatsoever; that all fiscal records are accurate, complete and current at all times; and that these records will be made available for audit and inspection as required.
  9. We have demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative performance and audit trail;
  10. If required by the grant making agency, we are able to secure a bond, in an amount not less than the total amount of the funds awarded, against losses of money and other property

caused by fraudulent or dishonest acts committed by any employee, board member, officer, partner, shareholder, or trainee;

11. We have the financial resources and technical expertise necessary for the production, construction, equipment and facilities adequate to perform the grant or sub grant, or the ability to obtain them;
12. We have a satisfactory record performing similar activities as detailed in the award or, if the grant award is intended to encourage the development and support of organizations without significant previous experience, that we have otherwise established that we have the skills and resources necessary to perform the grant;
13. We have a satisfactory record of integrity and business ethics;
14. We have the necessary organization, experience, accounting and operational controls, and technical skills to implement the grant, or the ability to obtain them;
15. We are in compliance with the applicable District licensing and tax laws and regulations;
16. We meet all other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations;
17. We agree to indemnify, defend and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this grant, or sub grant from any cause whatsoever, including the acts, errors, or omissions, of any person and for any costs or expenses incurred by the District on account of any claim therefore, except where such indemnification is prohibited by law;
18. We will retain all records, supporting documents, statistical records, and all other records pertinent to a Federal or local award for a period of five years from the date of submission of the final expenditure report or other required report, as appropriate.

**Acknowledgement Assurances**

Applicants will be required to acknowledge compliance with the following District and Federal statutes and regulations, as applicable:

1. The Americans with Disabilities Act of 1990, Pub. L. 101-336, July 26, 1990, 104 Stat. 327 (42 U.S.C. § 12101 et seq.)
2. Rehabilitation Act of 1973, Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355 (29 U.S.C. § 701 et seq.)
3. The Hatch Act, (5 U.S.C. §§ 7321 et seq.)

4. The Fair Labor Standards Act, Chap 676, 52 Stat, 1060 (29 U.S.C. § 201 et seq.)
5. The Clean Air Act pub. L. 108-201, February 24, 2004, (42 U.S.C. Chap 85 et seq.)
6. The Hobbs Act (Anti-Corruption), Chap 537, 60 St. 420 (18 U.S.C. § 1951)
7. Equal Pay Act of 1963, Pub. L. 88-38, June 10, 1963, 77 Stat. 56 (29 U.S.C. § 201)
8. Age Discrimination Act of 1975, Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728 (42 U.S.C. § 6101 et seq.)
9. Age Discrimination in Employment Act, Pub. L. 90-202, Dec. 15, 1967, 81 Stat. 602 (29 U.S.C. § 621 et seq.)
10. Military Selective Service Act of 1973
11. Title IX of the Education Amendments of 1972, Pub. L. 92-318, June 23, 1972, 86 Stat. 235, (20 U.S.C. § 1001)
12. Immigration Reform and Control Act of 1986, Pub. L. 99-603, Nov 6, 1986, 100 Stat. 3359, (8 U.S.C. § 1101)
13. Medical Leave Act of 1993, Pub. L. 103-3, Feb. 5, 1993, 107 Stat. 6 (5 U.S.C. § 6381 et seq.)
14. Assurance of Nondiscrimination and Equal Opportunity (29 CFR § 34.20)
15. District of Columbia Human Rights Act of 1977 (D.C. Official Code § 2-1401.01)
16. Title VI of the Civil Rights Act of 1964
17. District of Columbia Language Access Act of 2004, DC Law 15 -414, (D.C. Official Code § 2-1931 et seq.)
18. Lobbying Disclosure Act of 1995, Pub. L. 104-65, Dec 19, 1995, 109 Stat. 693, (31 U.S.C. § 1352)

### **Certifications**

The applicant shall be required to provide the following certifications:

#### **1. Lobbying**

If the grant is federally funded and 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, to the best of his or her knowledge and belief, that

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the aforesigned, 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 aforesigned shall complete and upload Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. The form may be uploaded within the applicant's application in EGMS.
- C. The applicant 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 subrecipients shall certify and disclose accordingly.

## 2. Debarment, Suspension, and Other Responsibility Matters

If the grant is federally funded and as required by applicable federal regulations implementing Office of Management and Budget (OMB) guidelines at 2 CFR Part 180, "Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," for prospective participants in a covered transaction:

- A. The applicant certifies that it and its principals:
  - i. Are not presently debarred, suspended, proposed for debarment, excluded, disqualified, 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.
  - ii. 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; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

- iii. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in subparagraph (i) of this certification; and
- iv. 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.

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

### 3. Criminal Offenses or Legal Proceedings

The applicant certifies that it has provided the following disclosures, in writing, to OSSE as applicable.

- A. Whether the applicant or any of its officers, partners, principals, members, or key employees, within three (3) years prior to the date of the application have been indicated or had charges brought against them (if still pending) and/or been convicted of (i) any crime or offense arising directly or indirectly from the conduct of the applicant's organization or (ii) any crime or offense involving financial misconduct or fraud; or
- B. Whether the applicant has been the subject of legal proceedings arising directly from the provision of services by the organization.
- C. If the response for 3(A) or 3(B) is in the affirmative, the applicant shall fully describe any such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and the surrounding circumstances in writing and provide documentation of the circumstances.

### 4. Political Campaigns and Contributions (for locally funded grants of \$100,000 or more)

If the grant is \$100,000 or more of local funds and in accordance with D.C. Official Code §1-328.15, I certify, under penalty of perjury, that the applicant is eligible to receive this grant award because the applicant and any of its officers, principals, partners, or members has not made a contribution (as that term is defined in D.C. Official Code §1-1161.01) or solicited such a contribution to be made for a District of Columbia general election within the time periods as described below:

- A. The applicant is ineligible to receive this grant from the date a contribution or solicitation for a contribution was made and continuing for one year after the general election for which the contribution or solicitation for contribution was made, whether or not the contribution was made before the primary election, to any of the following:
  - i. An elected District of Columbia official who is or could be involved in influencing or approving the award of this grant;
  - ii. A candidate for elective District of Columbia office who is or could be involved in influencing or approving the award of this grant; or

iii. A political committee affiliated with a District candidate or elected District official described in (i) or (ii) above.

**5. Compliance with Tax and Other Payments**

The applicant certifies that it is current and shall remain current on payment of all federal and District taxes, as applicable, including Unemployment Insurance taxes and Workers' Compensation premiums. This statement of certification shall be accompanied, as appropriate, by a certificate from the District of Columbia OTR stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with OTR. If applicable, please upload the OTR statement of certification here.

**6. Acknowledgment of Accuracy**

I certify that, to the best of my knowledge and belief, the information contained in this application is correct. I understand that to falsify information is grounds for denial or termination of any grant award.