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Board of State and Community Corrections Proposition 47 Grant Request for Proposals Frequently Asked Questions December 7, 2016

1) What is the definition of a public agency?

For the purposes of this Request for Proposals (RFP), a public agency is defined as:

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) Is a Superior Court a “public agency” for purposes of applying for this grant?

Yes, a Superior Court is a “public agency” for purposes of applying for this grant.

3) Is the Public Defender’s Office considered a Public Agency?

Yes, the Public Defender’s Office is considered a Public Agency.

4) What is the definition of custodial setting?

For the purposes of this RFP, a locked facility (e.g. jail, prison, etc.) is considered a custodial setting. The intent of this RFP is to prohibit the use of grant funds for programs or services provided in a custodial setting with the exception of outreach and reentry planning.

5) If a proposal plans to offer prebooking diversion, in which an individual is not in jail but is being held at the police station until s/he agrees to engage in services and the case is dropped, would that count as services provided in a custodial setting, thus disqualifying the proposal?

No. The proposal would be permissible based on the described scenario because the individual is not in a custodial setting when receiving services.

6) Is a jurisdiction-wide balance important for a proposal to be competitive? Or, is it equally important to hit areas in the jurisdiction that have the greatest need?

Applicants should consider the relative weights assigned to the required proposal components when developing their programs and subsequent implementation. The input the applicant receives from the community engagement process may also help determine what is important for inclusion in the proposal.

7) Can a 501(c)(3) nonprofit, public benefit corporation consisting of representatives of public entities (e.g., an Indian Health Council comprised of Indian tribes) act as a lead agency?

No. A 501(c)(3) nonprofit is not an eligible public entity and cannot serve as a lead agency. However, a non-governmental, public benefit corporation would be an eligible community-based partner that could partner with a public agency to receive funding.

8) 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 a quarterly basis. Additional information on Invoicing can be found in the *BSCC Grant Administration Guide* on the BSCC [website](#).

9) Can an applicant apply for the Proposition 47 Grant and the BSCC's separate Law Enforcement Assisted Diversion Grant?

Yes, an applicant may apply for both grants.

10) 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 38-month grant period. Larger Scope projects are those that request more than \$1 million and up to \$6 million for the entire 38-month grant period. 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

11) In the event of funding reduction or elimination, will the grantee agencies be notified with time to: a) terminate the program(s), and b) be fully reimbursed for the expenses already incurred?

If there is a change in the amount of funding available, the BSCC would notify the Grantee in writing. Allowable costs already incurred by the Grantee would be reimbursed through the date of the notice to the Grantee.

12) Due to the significant percentage of funding that would be allocated to Community Based Organizations, it is reasonable to assume that the contracts would be \$50-100K or more. Typically, this would require a local RFP process, which tends to be pretty lengthy. Can service providers be selected at the time of grant award instead?

Yes. The RFP contemplates that lead agencies may not be able to enter into contracts with service providers prior to the deadline to submit applications. However, the service delivery approach for each service and/or program component must be clearly described and the roles and responsibilities for proposed service providers must be clearly identified. (See Page 76, Rating Criteria 3.4.) In addition, the applicant must describe the process that it will use to select service providers and describe how it will include providers that best represent the needs and interests of the target population. (See Page 76, Rating Criteria 3.5.) 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. (See Rating Criteria 3.4 & Attachment J.)

13) Is it mandatory to attend a Bidder's Conference prior to applying for funding?

No. Bidder's Conference attendance or viewing is not mandatory. If you would like to view a Bidder's Conference, the December 12, 2016 9:00 am to 12:00 pm Bidder's Conference in Sacramento will be livestreamed. To view the livestream, visit the BSCC website 10-15 minutes before the scheduled start time of 9:00 a.m.

14) Can a government agency submit multiple applications?

No. Lead agencies (e.g., individual agencies or departments within a city, county or other jurisdiction) may not submit more than one proposal.

15) Could the BSCC provide definitions of mental health services in the Glossary for purposes of the grant, as substance abuse services are defined in the grant materials?

The RFP does not define mental health services. Applicants may wish to consult with their county behavioral health departments or review the Mental Health Services Act, enacted by Proposition 63, as amended (referenced in California Penal Code Section 6046.3(b)(2)(B) as a potential source of leveraged funding for Proposition 47 grant programs).

16) Can case management and navigation assistance provided to the target population to help them access substance abuse, mental health or housing services meet the requirement of providing substance abuse, mental health and housing services with the grant funds?

No. According to the RFP, "Proposition 47 grant funds must be used for mental health services, substance use disorder treatment, diversion programs, or some combination thereof." Case management and navigation assistance could be provided in addition to, but not in lieu of, these services.

17) Are there any grant funding opportunities for non-public agencies such as a Drug & Alcohol Outpatient Treatment provider?

At this time the BSCC does not have grant opportunities for non-public agencies. Non-public agencies must partner with a public agency applicant in order to receive Proposition 47 grant funding. Public agency applicants are required to subcontract a minimum of 50 percent of the grant funds requested to one or more non-governmental, community organizations.

18) Can a proposal only address mental health services or must it address mental health services, substance use disorder treatment and diversion programs?

Yes. A public agency applicant may submit a proposal that addresses only mental health services. According to the RFP, "Proposition 47 grant funds must be used for mental health services, substance use disorder treatment, diversion programs, or some combination thereof." Eligible recipients of grant services are 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.

19) Can a Los Angeles City Department list a Los Angeles County Department as a partner in its proposal?

Yes.

20) Can a Los Angeles City Department pass through grant funds (e.g. subcontract) to a Los Angeles County Department? If the answer is yes, can a Los Angeles County Department still submit a separate application requesting up to \$20 million?

Yes.

21) Can more than one Los Angeles City Department submit separate applications?

Yes, more than one Los Angeles City Department may submit an application.

22) 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.