



ARIZONA DEPARTMENT OF PUBLIC SAFETY

2102 WEST ENCANTO BLVD. P.O. BOX 6638 PHOENIX, ARIZONA 85005-6638 (602) 223-2000

"Courteous Vigilance"

DOUGLAS A. DUCEY HESTON SILBERT
Governor Director

Complying with Federal Civil Rights Program Requirements

Ensuring Access to Federally Assisted Programs

Federal laws prohibit recipients (and subrecipients) of federal financial assistance from discrimination on the basis of race, color, national origin, religion, sex, or disability in funded program or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients (and subrecipients) of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please refer to <http://www.lep.gov>.

Ensuring Equal Treatment of Faith-Based Organizations and Safeguarding Constitutional Protections Related to Religion

The United States Department of Justice (DOJ) regulation below has been modified and now applies not just to faith-based organizations but includes **all** VOCA subrecipients.

The DOJ regulation, Partnerships with Faith-Based and Other Neighborhood Organizations, 28 C.F.R. pt. 38, prohibits **all recipient organizations**, whether they are law enforcement agencies, governmental agencies, educational institutions, houses of worship, or faith-based organizations, from using financial assistance from the DOJ to fund explicitly religious activities. Explicitly religious activities include worship, religious instruction, or proselytization. While funded organizations may engage in non-funded explicitly religious activities (e.g., prayer), they must hold them separately from the activities funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice. Funded faith-based organizations must also provide written notice to beneficiaries, advising them that if they should object to the religious character of the funded faith-based organization, the funded faith-based organization will take reasonable steps to refer the beneficiary to an alternative service provider. For more information on the regulation, please see the DOJ, Office of Justice Programs, Office for Civil Rights' (OCR) website at <https://ojp.gov/about/ocr/partnerships.htm>.

Faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 34 U.S.C. §10228(c); the Victims of Crime Act of 1984, as amended, 34 U.S.C. § 20110(e); the Juvenile Justice and Delinquency Prevention Act

of 1974, as amended, 34 U.S.C. § 11182(b); and VAWA, as amended, 34 U.S.C. § 12291(b)(13), contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Nondiscrimination Notification

DPS VOCA subrecipient agencies must have a method of notifying employees, clients, customers, or program participants that the subrecipient agency does not discriminate in employment practices or delivery of services, and must have a written policy that includes the procedures for filing a complaint, and the names and contact information for the agencies that receive complaints.

Discrimination Complaints

Employees, clients, customers, or program participants of a DPS VOCA subrecipient who wish to file a complaint of discrimination, may file a complaint directly with the subrecipient; or with the Arizona Department of Public Safety VOCA Administration Unit (sdoll@azdps.gov); the Arizona Office of the Attorney General, Office for Civil Rights (<http://azaag.gov/civil-rights/>); or the Office for Civil Rights (OCR), Office of Justice Programs, Department of Justice (<https://ojp.gov/about/ocr/complaint.htm>).

Submitting Findings of Discrimination

If in the three years prior to the date of the grant award, a federal or state court or administrative agency makes an adverse finding of discrimination after a due process hearing against the subrecipient agency on the grounds of race, color, national origin, religion, sex, or disability, the subrecipient shall forward a copy of the finding to the Department of Justice, Office of Justice Programs, Office for Civil Rights and DPS VOCA.

I, Rick Horst (printed name of authorizing official), certify that City of Maricopa (name of subrecipient organization) will comply with the Federal Civil Rights Program requirements as outlined above.

Signature of Authorizing Official

Date

City Manager

Printed Name and Title of Authorizing Official

2020-132

DPS Contract Number



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Certification regarding Non-Supplanting

As outlined in the U.S. Department of Justice, Office of Justice Programs, Federal Financial Guide,

Federal funds must be used to **supplement** existing State and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose. Furthermore, supplanting is defined as “to deliberately reduce State or local funds because of the existence of Federal funds. For example, when State funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the State replaces its State funds with Federal funds, thereby reducing the total amount available for the stated purpose.”

The following example is provided in the Federal Financial Guide to help clarify the difference between supplementing and supplanting:

State funds are appropriated to hire 50 new police officers, and Federal funds are awarded for hiring 60 new police officers. At the end of the year, the State has hired 60 new police officers, and the Federal funds have been exhausted. The State has not used its funds towards hiring new officers, but instead reduced its appropriation for that purpose and assigned or appropriated the funds to another purpose. In this case, the State has supplanted its appropriation with the Federal funds. If supplanting had not occurred, 110 new officers would have been hired using Federal funds for 60 officers and State funds for 50 officers.

As a subrecipient of Victims of Crime Act (VOCA) Assistance funds, each agency shall certify its understanding of and adherence to the prohibition against supplanting of State or local funds with Federal funds.

I certify that the City of Maricopa (name of subrecipient organization) will comply with the prohibition against supplanting as outlined above.

Signature of Authorizing Official

Date

City Manager

Printed Name and Title of Authorizing Official



Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

1. Name of Organization and Address:

Organization Name: City of Maricopa
 Street1: 39700 W Civic Center Plaza
 Street2:
 City: Maricopa
 State: ARIZONA
 Zip Code: 85138

2. Authorized Representative's Name and Title:

Prefix: Mr. First Name: Rick Middle Name:
 Last Name: Horst Suffix:
 Title: City Manager

3. Phone: 520-316-6811 4. Fax:

5. Email: Rick.Horst@Maricopa-az.gov

6. Year Established: 2005	7. Employer Identification Number (EIN): 43-2035823	8. DUNS Number: 609403634
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9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? Yes No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



AUDIT INFORMATION

<p>9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?</p> <p>If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.</p> <p>10. Has the applicant entity undergone any of the following types of audit(s)(Please check all that apply):</p> <p><input checked="" type="checkbox"/> "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200</p> <p><input checked="" type="checkbox"/> Financial Statement Audit</p> <p><input type="checkbox"/> Defense Contract Agency Audit (DCAA)</p> <p><input type="checkbox"/> Other Audit & Agency (list type of audit):</p> <p style="background-color: #cccccc; padding: 2px;"> </p> <p><input type="checkbox"/> None (if none, skip to question 13)</p>	
<p>11. Most Recent Audit Report Issued: <input checked="" type="checkbox"/> Within the last 12 months <input type="checkbox"/> Within the last 2 years <input type="checkbox"/> Over 2 years ago <input type="checkbox"/> N/A</p> <p>Name of Audit Agency/Firm: Heinfeld and Meech</p>	
<p>AUDITOR'S OPINION</p>	
<p>12. On the most recent audit, what was the auditor's opinion?</p> <p><input checked="" type="checkbox"/> Unqualified Opinion <input type="checkbox"/> Qualified Opinion <input type="checkbox"/> Disclaimer, Going Concern or Adverse Opinions <input type="checkbox"/> N/A: No audits as described above</p> <p>Enter the number of findings (if none, enter "0"): 0</p> <p>Enter the dollar amount of questioned costs (if none, enter "\$0"): </p> <p>Were material weaknesses noted in the report or opinion? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>13. Which of the following best describes the applicant entity's accounting system:</p> <p><input type="checkbox"/> Manual <input checked="" type="checkbox"/> Automated <input type="checkbox"/> Combination of manual and automated</p>	
<p>14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p>
<p>15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p>
<p>16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p>



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R Part 200?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure

PROPERTY STANDARDS AND PROCUREMENT STANDARDS

20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that – (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure

TRAVEL POLICY

24. Does the applicant entity: (a) maintain a standard travel policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (b) adhere to the Federal Travel Regulation (FTR)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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SUBRECIPIENT MANAGEMENT AND MONITORING

25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award – (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input checked="" type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards
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<p>26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input checked="" type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards</p>
<p>27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual is suspended or debarred from such subawards?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input checked="" type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards</p>

DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

<p>28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)</p> <p>If "Yes", provide the following:</p> <p>(a) Name(s) of the federal awarding agency: [Redacted]</p> <p>(b) Date(s) the agency notified the applicant entity of the "high risk" designation: [Redacted]</p> <p>(c) Contact information for the "high risk" point of contact at the federal agency: Name: [Redacted] Phone: [Redacted] Email: [Redacted]</p> <p>(d) Reason for "high risk" status, as set out by the federal agency: [Redacted]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Sure</p>
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CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR"), or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name: Rick Horst Date: [Redacted]

Title: Executive Director Chief Financial Officer Chairman
 Other: City Manager

Phone: 520-316-6811



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Applicant Disclosure of High Risk Status

The subrecipient must disclose whether it, currently or at any time during the course of the period of performance under this award, is designated “high risk” by a federal or state grant-making agency outside of the Arizona Department of Public Safety (DPS). For purposes of this disclosure, high risk includes any status under which a federal or state awarding agency provides additional oversight due to the subrecipient’s past performance, or other programmatic or financial concerns with the subrecipient. If the subrecipient is, currently or at any time during the course of the period of performance under this award, designated high risk by another federal or state awarding agency, the subrecipient must provide the following information:

- (1) The federal or state awarding agency that currently designates the subrecipient high risk.
- (2) The date the subrecipient was designated high risk.
- (3) The high-risk point of contact at that federal or state awarding agency (name, phone number, and email address)
- (4) The reasons for the high risk status, as set out by the federal or state awarding agency.

DPS seeks this information to help ensure appropriate oversight of DPS awards. A subrecipient that is considered “high risk” by another federal awarding agency is not automatically disqualified from receiving an award. DPS may, however, impose additional oversight of the award.

Complete the section below by responding as appropriate:

I certify City of Maricopa (name of subrecipient organization)

X has not been notified as having been designated high-risk by any federal or state grant making agency, nor has it been placed under any status requiring additional oversight by a federal or state agency due to past programmatic or financial concerns.

 has been notified as having been designated high-risk by a federal or state grant making agency, and the information to be provided as described in 1-4 above is attached to this disclosure.

Signature of Authorizing Official

Date

Rick Horst, City Manager

Printed Name and Title of Authorizing Official



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DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Arizona Department of Public Safety
VOCA Administration, MD 3915
P. O. Box 6638
Phoenix, AZ 85005-6638
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted.

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant agency, I hereby certify that the applicant will comply with the above certifications.

Signature of Authorizing Official

Date



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Determination of Suitability Required, In Advance, For Certain Individuals Who May Interact with Participating Minors

The VOCA subrecipient, subrecipient contractors, subcontractors and consultants providing services to minors must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

This certified assurance requires that subrecipients prepare *determinations of suitability* to interact with minors in advance of any individual being permitted to interact with minors as part of the VOCA-funded program. In order to aid the subrecipient programs in complying with this certified assurance, the DPS will provide a *Determination of Suitability to Interact with Minors* form that can be uploaded with each VOCA grant.

The details of this requirement are summarized below and are posted on the Office of Justice Programs website at: <https://www.ojp.gov/funding/explore/interact-minors>.

1. *Advance determination regarding suitability.* The subrecipient may not permit any covered individual to interact with any participating minor in the course of activities under the award, unless the recipient or subrecipient first has made a written determination of the suitability of that individual to interact with participating minors.
2. *Updates and reexaminations.* The subrecipient must, at least every five years, update the criminal background searches and reexamine the covered individual's suitability determination in light of those search results, and, if appropriate, modify or withdraw that determination. The subrecipient also must reexamine a covered individual's suitability determination upon learning of information that reasonably may suggest unsuitability and, if appropriate, modify or withdraw that determination.
3. *Definitions* – a) "Covered individual" means any individual (other than a participating minor, as defined in this condition, or a client of the subrecipient) who is expected, or reasonably likely, to interact with any participating minor (other than the individual's own minor children). A covered individual need not have any particular employment status or legal relationship with the subrecipient. Such an individual might be an employee of a subrecipient, but also might be (for example) a consultant, contractor, employee of a contractor, trainee, volunteer, or teacher. b) "Participating minor" means all individuals under 18 years of age receiving services under the VOCA-funded project. c) "Interaction" includes physical contact, oral and written communication, and the transmission of images and sound, and may be in person or by electronic (or similar) means. Interaction does not include brief, unexpected or unintentional contact and

those contacts where there is another adult present, pursuant to written policies and procedures of the subrecipient, that are designed to ensure that –throughout the contact—an appropriate adult who has been determined to be suitable pursuant to this condition will closely and personally accompany, and remain continuously within view and earshot of, the covered individual. d) "Activities under the award" mean activities carried out under the VOCA award, using VOCA funds, matching funds, or program income. Activities also include actions taken by an entity or individual pursuant to a procurement contract under the subaward at any tier. e) "Current and appropriate information" means, in addition to information resulting from checks or screening required by applicable federal, state, tribal, or local law, and/or by the subrecipient's own written policies and procedures, current and appropriate information includes the results of all required searches listed below, each of which must be completed no earlier than six months before the determination regarding suitability.

(1) Public sex offender and child abuse websites/registries. A search (by current name, and, if applicable, by previous name(s) or aliases), of the pertinent and reasonably- accessible federal, state, and (if applicable) local and tribal sex offender and child abuse websites/public registries, including-- (a) the Dru Sjodin National Sex Offender Public Website (www.nsopw.gov);

(b) the website/public registry for each state (and/or tribe, if applicable) in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and (c) the website/public registry for each state (and/or tribe, if applicable) in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.

(2) Criminal history registries and similar repositories of criminal history records. For each individual at least 18 years of age who is a covered individual under the VOCA subaward, a fingerprint search (or, if the subrecipient documents that a fingerprint search is not legally available, a name-based search, using current and, if applicable, previous names and aliases) -- encompassing at least the time period beginning five calendar years preceding the date of the search request -- of pertinent state (and, if applicable, local and tribal) criminal history registries or similar repositories, including-- (a) the criminal history registry for each state in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and (b) the criminal history registry for each state in which he or she is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.

4. *Factors and considerations in determinations regarding suitability*. In addition to the factors and considerations that must or may be considered under applicable federal, state, tribal, or local law, and under the subrecipient's written policies and procedures, in making a determination regarding suitability, the subrecipient must consider the results of all required searches listed below, each of which must be completed no earlier than six months before the determination regarding suitability.

In particular (unless applicable law precludes it), with respect to either an initial determination of suitability or a subsequent reexamination, the subrecipient may not determine that a covered

individual is suitable to interact with participating minors in the course of activities under the award if the covered individual—

- A) Withholds consent to a criminal history search required by this condition;
- B) Knowingly makes (or made) a false statement that affects, or is intended to affect, any search required by this condition;
- C) Is listed as a registered sex offender on the Dru Sjodin National Sex Offender Public Website;
- D) To the knowledge of the recipient (or subrecipient), has been convicted -- whether as a felony or misdemeanor -- under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent criminal offense, regardless of the specific words by which it may be identified in law):
 - (1) sexual or physical abuse, neglect, or endangerment of an individual under the age of 18 at the time of the offense;
 - (2) rape/sexual assault, including conspiracy to commit rape/sexual assault;
 - (3) sexual exploitation, such as through child pornography or sex trafficking;
 - (4) kidnapping;
 - (5) voyeurism; or
- E) Is determined by a federal, state, tribal, or local government agency not to be suitable.

5. Administration; rule of construction. a) The requirements of this condition will be monitored by DPS. These requirements apply as of the date of acceptance of the subaward, and throughout the remainder of the period of performance. b) The subrecipient is to contact DPS with any questions regarding the requirements of this condition and must not allow a covered individual to interact with a participating minor until such questions are answered. c) DPS may allow awarded funds to be used, in part, for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition, provided that such funds would not supplant non-federal funds that would otherwise be available for such costs. d) Nothing in this condition shall be understood to authorize or require any subrecipient at any tier, or any person or other entity, to violate any federal, state, tribal, or local law, including any applicable civil rights or nondiscrimination law.

6. Written policies and procedures. Subrecipients are required to prepare written policies and procedures pertaining to this certified assurance and provide those written policies and procedures to DPS by October 1, 2020. The procedures should identify the sources of information the subrecipient organization intends to use to support the determination of suitability to interact with minors (e.g. the National Sex Offender Registry).

7. Advising Covered Individuals. All employees, volunteers, contractors and consultants who are deemed to be a covered individual, should be properly advised of this new certified assurance and the need for a determination of suitability by the subrecipient organization. This may require subrecipient organizations to develop a form to be completed by covered individuals that would ask certain questions necessary to aid the subrecipient in making the determination of suitability. At a minimum, the notice should request names and aliases used by the covered person in the immediate 5 years prior to the request, and all cities and states the covered individual has lived, worked or gone to school in the 5 years prior to the request.

8. *Determination of suitability to interact with participating minors form.* This form will be provided by DPS and should be submitted to DPS annually. The form should list all covered individuals deemed suitable to interact with participating minors, the date the covered individual(s) received the designation of suitability by the subrecipient organization, when the next review will be initiated, and the screening(s) to be performed. This determination must be made every five years for each covered individual. Those individuals deemed not suitable to provide services to minors should not be listed on the form and should not be permitted to interact with participating minors under the VOCA subaward.

I, Rick Horst (printed name of authorizing official), certify that the City of Maricopa (name of subrecipient organization) will comply with the Determination of Suitability to Interact With Participating Minors requirements as outlined above.

Signature of Authorizing Official

City Manager
Title of Authorizing Official

Date

2020-132
DPS Contract Number



ARIZONA DEPARTMENT OF PUBLIC SAFETY

2102 WEST ENCANTO BLVD. P.O. BOX 6638 PHOENIX, ARIZONA 85005-6638 (602) 223-2000

“Courteous Vigilance”

DOUGLAS A. DUCEY HESTON SILBERT
Governor Director

FFY 2021-FFY 2023 Victims of Crime Act (VOCA) Victim Assistance Grant Program

Boycott of Israel Disclosure

Pursuant to A.R.S. §35-393.01, public entities are prohibited from entering into contracts “unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract to not engage in, a boycott of goods or services from Israel.”

Under A.R.S. §35-393:

1. "Boycott" means engaging in a refusal to deal, terminating business activities or performing other actions that are intended to limit commercial relations with entities doing business in Israel or in territories controlled by Israel, if those actions are taken either:
 - (a) Based in part on the fact that the entity does business in Israel or in territories controlled by Israel.
 - (b) In a manner that discriminates on the basis of nationality, national origin or religion and that is not based on a valid business reason.
2. "Company" means an organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity or business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate, that engages in for-profit activity and that has ten or more full-time employees.
- ...
5. "Public entity" means this State, a political subdivision of this State or an agency, board, commission or department of this State or a political subdivision of this State.

The certification below does not include boycotts prohibited by 50 United States Code Section 4842 or a regulation issued pursuant to that section. See A.R.S. §35-393.03.

In compliance with A.R.S. §§35-393 et seq., all subrecipients must select one of the following:

- The Subrecipient (Company) **does not** participate in, and agrees not to participate in during the term of the contract, a boycott of Israel in accordance with A.R.S. §§35-393 et seq. I understand that my entire response will become public record in accordance with A.A.C. R2-7-C317.

The Subrecipient (Company) does participate in a boycott of Israel as described in A.R.S. §§35-393 *et seq.*

Exempt Contract or Subrecipient.

Indicate which of the following statements applies to this Contract:

- Contract has an estimated value of less than \$100,000;
- Subrecipient is a sole proprietorship;
- Subrecipient has fewer than ten (10) employees; and/or
- Subrecipient is a non-profit organization.

Subrecipient Organization (Company):

Name: City of Maricopa

Address: 39700 W Civic Center Plaza

City: Maricopa State: AZ Zip Code: 85138

Authorizing Official:

Printed Name: Rick Horst

Title: City Manager

Signature: _____ Date: _____