

OFFICE OF THE ATTORNEY GENERAL

Choose Life Grant Program

FY 2022-2023 Grant Application Kit

**APPLICATION DEADLINE:
11:59 p.m. CDT
Friday, June 25, 2021**

This Kit contains the following:

- I. General Instructions**
- II. Terms and Definitions**
- III. Instructions for GOALS**
- IV. Certifications and Assurances**
- V. Required Documents for Submission of the Application**

I. GENERAL INSTRUCTIONS

Choose Life Grant Program

How to Obtain an Application Kit

The Office of the Attorney General (OAG) will post the Application Kit on the OAG's official agency website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicant Organizations are encouraged to refer to this site regularly.

This Application Kit provides the information and forms necessary to prepare an Application for funding through the OAG. An Applicant Organization may only submit one application under this application cycle.

Applicant Registration

In order to register, an Applicant must designate one person as the point of contact to submit its grant application. To create an on-line account, the Applicant must email the following point of contact information to Grants@oag.texas.gov:

- First Name
- Last Name
- Email Address (*It is highly recommended to use a generic organization email address if available*) Organization Legal Name

The point of contact will receive a welcome email from Grant Offering and Application Lifecycle System (GOALS) via the Grants@oag.texas.gov email address. GOALS will prompt the point of contact to create a password. The password must be 8 characters, with at least 1 Upper Case Letter, 1 Lower Case Letter, 1 Number and 1 Special Character (@, #, \$, &, etc.). The Applicant may also choose to upload a Picture.

The OAG strongly encourages Applicants to register by Friday June 11, 2021 in order to have sufficient time to complete the application.

The link for GOALS and further instructions can be found on the OAG website at:

<https://www.texasattorneygeneral.gov/divisions/grants>.

Eligibility Questions

After the on-line account is activated, the Applicant will be taken to the Grant Programs webpage (your homepage) in GOALS, where the Applicant will then be required to complete an Eligibility Profile.

The Applicant will be required to answer “Yes or No” questions regarding the agency type and purpose as well as provide the Council of Governments (COG) regions and counties served. The Applicant will also be asked to provide its Legislative Districts. If the Applicant does not know its COG or Legislative District, website links are provided in the section headers to assist in obtaining that information. Completing the eligibility questions will determine which grant funding solicitation the Applicant matches.

Once the Eligibility Profile is complete, Select the View Programs button at the bottom of the screen. If the Applicant matches to a grant program that has an open solicitation, the grant funding opportunity will appear on the screen. Select and complete the grant application for that applicable funding source by clicking on the green Apply Now button. Note: Hard copy or Emailed Applications will not be accepted.

Please contact the OAG at Grants@oag.texas.gov or (512) 936-0792 if there are any questions.

Application Submission – Deadline Friday June 25, 2021

If a funding source for which the Applicant is intending to apply does not appear under *Grant Programs*, there could be two possibilities:

- A grant program to which the Applicant could potentially match is not open; or
- The answers provided in the Eligibility Questionnaire do not match any of the OAG’s open grant solicitations.

To meet the deadline, the Application must be submitted via GOALS.

- One (1) application per matched funding source listed under Grant Programs.
- The following documents must be uploaded:
 - Completed Excel Budget. Must be uploaded in MS Excel format.
 - Attachment A (includes notarized affidavit)
 - Attachment B

One auto-reply message per application completed and submitted will be generated by GOALS and sent to the email associated with the Applicant’s on-line account.

The OAG accepts no responsibility for delays in submission, electronic or otherwise. Applicants are strongly advised to allow for and anticipate any such delays by submitting the Application as early as possible.

For security purposes, the OAG cannot accept Applications submitted in other formats, including walk-in, hand delivery, same day courier service or any other hard copy method of delivery. The OAG also will not accept email submissions.

Please contact the OAG at Grants@oag.texas.gov or (512) 936-0792 if there are any questions about the method of delivery. In order to better assist Applicants with their questions, the preferred method of contact is email. The OAG will not consider or fund an Application if it is not submitted by the due date, in the manner required.

Required Software

Microsoft Excel 97 or newer version as well as the *Internet* is required to create an on-line account, complete the Application, and apply for a grant. It is recommended to use the latest version of Google Chrome or Mozilla Firefox. Please note that not all versions of Microsoft Excel are the same. If an error message is received, save the Excel document as *.xls*, instead of *.xlsx*. *Adobe Reader* is required to access the Application Instructions. *Adobe Reader* can be downloaded for free at www.adobe.com.

Availability of Funds

The Choose Life account is authorized by Chapter 504.662 of the Transportation Code, and Chapter 402.036 of the Government Code, and is funded by fees collected for the purchase of a Choose Life License Plate, as well as gifts, grants, donations and legislative appropriations. The OAG is

authorized to administer grants to an eligible organization. All funding is contingent upon an appropriation to the OAG by the Texas Legislature. The OAG makes no commitment that an Application, once submitted, or a grant, once funded, will receive subsequent funding.

Grant Period – Up to Two Years

The term of this grant is up to two years from September 1, 2021 through August 31, 2023, subject to and contingent on funding and approval by the OAG. If the grant period extends for more than one state fiscal year, the grantee will be required to submit additional documentation relating to the second fiscal year of the grant period, including an updated budget. The OAG may base its decision for the second fiscal year funding amounts on the grantee's first year performance, including but not limited to: the timeliness and thoroughness of reporting, effective and efficient use of grant funds and the success of the project in meeting its goals.

Eligible Applicant Organizations

An Applicant Organization must be an eligible organization in this state to apply for the Choose Life Grant Program, meaning it must meet all of the following criteria:

- An organization that provides services in this state and is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt charitable organization under Section 501(c)(3) of that code;
- Provides counseling and material assistance to pregnant women who are considering placing their children for adoption;
- Does not charge for services provided;
- Does not provide abortions or abortion-related services, or make referrals to abortion providers;
- Is not affiliated with an organization that provides abortions or abortion-related services or makes referrals to abortion providers; and
- Does not contract with an organization that provides abortions or abortion-related services or makes referrals to abortion providers.

Eligible Budget Categories

The following are the only eligible budget categories. However, allocations to any of these categories are dependent upon the sole discretion of the OAG. Refer to program purpose areas and budget detail items.

- Personnel
- Fringe Benefits
- Professional and Consultant Services
- Travel
- Supplies
- Other Direct Operating Expenses

Ineligible Costs

Ineligible costs include, but are not limited to:

- Paying for overtime, out-of-state travel, dues, or lobbying
- Purchasing or leasing vehicles
- Purchasing promotional items or recreational activities
- Paying for travel that is unrelated to the direct delivery of services that support the OAG-funded program
- Paying consultants or vendors who participate directly in writing a grant application

- Purchasing any other products or services the OAG identifies as inappropriate or unallowable
- Any unallowable costs set forth in any applicable state or federal cost principles
- Administrative (this includes, but is not limited to equipment and office supplies), legal or capital expenses
- Indirect Costs

Ineligible Activities

Ineligible activities include, but are not limited to:

- Activities related to providing abortions or abortion-related services, or making referrals to abortion providers

Funding Level

The minimum grant request the OAG will consider is \$1,000. Applications requesting an amount below the minimum will not be considered.

As of the date this Application Kit is published, the amount available for award in the Choose Life account is approximately \$23,000. If an application is awarded, the budget may be adjusted by the OAG.

Match Requirements

There are no match requirements for the Choose Life Grant Program.

Volunteer Requirements

There are no volunteer requirements for the Choose Life Grant Program.

State and Federal Requirements

All Applicant Organizations should review and be familiar with the OAG administrative rules governing the Choose Life Grant Program. The administrative rules can be found at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=1&pt=3&ch=54&sch=A](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=1&pt=3&ch=54&sch=A)

In addition to the OAG's administrative rules, Applicants should be familiar with the Texas Grant Management Standards (TxGMS) and relevant Code of Federal Regulations (CFR) that relate to state, and if applicable, federal grant funding.

- TxGMS can be found at: <https://comptroller.texas.gov/purchasing/grant-management/>
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 can be found at: <http://www.ecfr.gov>

Contact Information

Assistance with technical questions about GOALS registration or the Application Kit is available via:

- Email: Grants@oag.texas.gov
- Phone: (512) 936-0792
- GOALS: Select *Help* on the GOALS website for further assistance

Email is the preferred method for submitting questions. Each person submitting a question should include his/her name, the name of the organization, an email address, a phone number and if applicable, the Reference ID Number. Please note that OAG staff cannot assist with writing Applications or how to answer Eligibility questions.

Choose Life Grant Program Requirements and Definitions

The purpose of the Choose Life Grant Program is to provide funds as described in Chapter 402 of the Government Code.

Choose Life Grant Program Purpose Areas: Grant contracts awarded under this Choose Life Grant Program Application Kit may be used to:

- provide for the material needs of pregnant women who are considering placing their children for adoption, including the provision of clothing, housing, prenatal care, food, utilities, and transportation,
- provide for the needs of infants who are awaiting placement with adoptive parents,
- provide training and advertising relating to adoption,
- provide pre-adoption counseling, and
- provide post-adoption counseling.

Funding for Applications may be prioritized for pre-adoption counseling, post-adoption counseling and advertising relating to adoption. Applicants are encouraged to prioritize their needs and explain the reason for their funding request.

Review and Scoring Process

The OAG will review each timely, completed Application filed by an eligible Applicant Organization.

- At any time during the review process, an OAG staff member may contact the Applicant Organization for additional information.
- All areas of the budget are subject to review and approval by the OAG. Decisions related to the budget are based on both eligibility and reasonableness.
- The information provided by the Applicant Organization in the Application may be scored or reviewed.
- The OAG may check or verify any information submitted by the Applicant Organization.

Grant Decisions

All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

The OAG is not obligated to award a grant at the total amount requested and/or within the budget categories requested. The OAG reserves the right to make awards at amounts above and/or below the stated funding levels.

Funding Priority

The OAG reserves the right to consider all other appropriations or funding an Applicant Organization currently receives when making funding decisions. The OAG may give priority to programs that provide services in certain geographic or programmatic areas or other factors considered important by the OAG.

Grant Award Notification

The Applicant shall be notified in writing of the OAG's decision regarding a grant award. The OAG may utilize a grant contract document and/or a notice of grant document once a decision is made to award a grant. The Applicant will be given a deadline to accept the grant award and to return the appropriate document to the OAG within the time prescribed by the OAG. An Applicant's failure to

return the signed document, via DocuSign, to the OAG within the prescribed time period will be construed as a rejection of the grant award, and the OAG may de-obligate funds.

Special Conditions

The OAG may assign special conditions at the time of the award. Until satisfied, these special conditions may affect the Applicant Organization’s ability to receive funds. If special conditions are not resolved, the OAG may de-obligate funds up to the entire amount of the grant award.

Reporting Requirements

If an Application is funded, grantees will be required to report to the OAG in the manner and schedule as determined by the OAG. If Reports are not submitted by the set dates, this may affect the Applicant Organization’s ability to receive funds. Reporting on grant project activities such as outputs and outcomes via semi-annual Performance Reports will be required.

Method of Payment

OAG grants are paid on a cost-reimbursement basis. Grantees will be required to submit invoices monthly no later than 20 calendar days after the end of the month being reported.

II. TERMS AND DEFINITIONS

The following are terms and definitions pertaining to the Choose Life Application Kit:

Adoption-Related Advertising: To promote or publicize information directly related to adoption as it pertains to the Choose Life Grant Program, via print, broadcast or social media; direct mail or e-mail; or other appropriate methods of disseminating information.

Adoption-Related Training: Providing training sessions and conferences related to adoption, as well as providing materials, books, manuals, pamphlets or electronic media about adoption.

Clothing: Garments, apparel, shoes and other attire for pregnant women who are considering placing their children for adoption.

Food: Any nourishing substance that is consumed, eaten, drunk or otherwise taken into the body to sustain life, provide energy, or promote well-being for pregnant women who are considering placing their children for adoption.

Housing: Shelter, lodging or dwelling place for pregnant women who are considering placing their children for adoption.

Material Needs: Includes the provision of clothing, housing, prenatal care, food, utilities and transportation for pregnant women who are considering placing their children for adoption.

Needs of Infants: Health, medical, dietary, food, clothing, shelter, and other related necessities for an infant who is awaiting placement with adoptive parents.

Post-Adoption Counseling: Specialized area of counseling to strengthen and assist in the adjustment process after placement.

Pre-Adoption Counseling: Specialized area of counseling that offers education, guidance, assistance with decision-making and relational issues, and support for the journey prior to placing a child for adoption.

Prenatal Care: Any health-related care given to women while they are pregnant and considering placing their children for adoption.

Transportation: The act or means of traveling from one place to another for women who are considering placing their children for adoption.

Utilities: Service provided by a public service, including electricity, gas or water for pregnant women who are considering placing their children for adoption.

III. Instructions for GOALS

GENERAL INSTRUCTIONS

Answer the questions only in the space provided. Only answered questions will be reviewed or scored. Not all questions on this Application have instructions listed below. The instructions provided are to clarify and provide specific information where necessary. Every question should be answered in GOALS.

SPECIFIC FORM INSTRUCTIONS

GENERAL INFORMATION FORM

Identify which type of organization you are:

- Non-Profit
- Local Unit of Government
- Statewide Governmental Entity

Organization Information

- Applicant's Doing Business As (dba):
- Program/Division/Unit Which Would Be Administering Grant
 - If applicable, enter a sub-agency. For example, if a city is applying, they could enter their police department or a state agency could enter their victim outreach section.
- Federal Employer (Tax) ID Number (EIN)
 - EIN is issued by the Internal Revenue Service (IRS)
- Texas Vendor ID Number (VIN)
 - VIN is issued by the Texas Comptroller

Mailing Address

Enter Organization mailing address.

Grant Contact

Enter the contact information for the person the OAG may contact directly for an immediate response and/or changes regarding the grant.

Authorized Official

Enter the contact information for the person authorized to apply for, accept, decline, or cancel the grant. This person signs all grant adjustment requests, inventory reports, progress reports and financial reports as well as any other official documents related to the grant.

Alternate Designee

Enter the contact information for the person designated by the Authorized Official to sign invoices for the agency (*i.e.*, Executive Director, Financial Director, Auditor, Treasurer, etc.).

Project Financial Officer

Enter the contact information for the person the OAG contacts with inquiries regarding budget and/or invoice expenditure reimbursements.

CHOOSE LIFE GRANT APPLICATION FORM

Organization

Identifying and contact information:

- Reference ID Number – This number will automatically be entered for the Applicant.
- Legal Name of Applicant – Enter the legal name of Applicant Organization.
- Name of Agency Contact and Agency Contact’s Telephone Number - Provide a contact name and phone number in the event the OAG has any questions about the Application.

Eligibility

Input “Yes” or “No” next to each of the items listed. Do not leave any blanks. Note: If you cannot answer in the affirmative, you are not an eligible Applicant Organization.

Organization and Grant Narrative Questions

All responses must fit in the text boxes provided not to exceed maximum word limit. It is highly recommended that responses be written on a separate document, then cut and pasted into GOALS.

BUDGET EXCEL WORKBOOK

The Budget Excel Workbook is located on the main Application page under “Task.” Download the budget template, complete and upload.

- Enter Reference ID Number, the number assigned to your Application;
- Enter Legal Name of Applicant (Agency’s Legal Name); and
- Ensure the listed Funding Source (Name of Grant) is correct.

The Excel budget consists of allowable items under the categories of: Personnel; Fringe Benefits; Professional and Consultant Services; Travel; Supplies; and Other Direct Operating Costs (Other DOE). Where applicable provide a description next to the allowable items for this Choose Life Grant Application. If there are other allowable items not listed below or more space is needed, provide a description next to "Other Allowable Items" under the appropriation budget category. Enter the dollar amount for the allowable item requested with this Choose Life Grant Application. The total will auto calculate. This will be the total requested for this Choose Life Grant Application.

IV. OAG Certifications and Assurances

THE OAG HAS ADOPTED THE FOLLOWING CERTIFICATIONS AND ASSURANCES AS APPLICABLE TO ALL RECIPIENTS OF CHOOSE LIFE FUNDS.

The Applicant Organization agrees to:

(1) Comply with Texas Government Code, Chapter 573, by ensuring that no officer, employee, or member of the Applicant Organization's governing body or of the Applicant Organization's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person unless otherwise provided by law as applicable under Texas Government Code, Chapter 2252 or Chapter 783. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two (2) years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

(2) Comply, as applicable, with Texas Government Code, Chapter 552, ("Texas Public Information Act") which requires the public information that is collected, assembled or maintained by the Applicant Organization relative to a project to be available to the public during normal business hours, unless otherwise provided by law as applicable under Texas Government Code, Chapter 2252 or court order.

(3) Comply with Texas Family Code, Section 231.006, which prohibits payments to a person who is in arrears on child support payments.

(4) Agree that, when incorporated into a grant award or contract, these standard assurances become terms or conditions for receipt of grant funds and that the Applicant Organization shall maintain an appropriate contract administration system to ensure that all terms, conditions, and specifications are met.

(5) Comply with the Texas Family Code, Section 261.101, which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Applicant Organization shall also ensure that all program personnel are properly trained and aware of this requirement.

(6) Comply, as applicable, with all federal statutes relating to nondiscrimination. These include, but are not limited to, the following: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific

statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

(7) Comply, as applicable, with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

(8) Comply, as applicable, with the provisions of the Hatch Political Activity Act (5 U.S.C. 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

(9) Comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

(10) Comply, as applicable, with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102 (a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

(11) Comply, as applicable, with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

(12) Comply, as applicable, in assisting the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

(13) Comply, as applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.

(14) Comply, as applicable, with Public Law 103-277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

(15) Comply, as applicable, with all federal and state tax laws, and are solely responsible for filing all required state and federal tax forms.

(16) Comply with all applicable state requirements governing this program.

(17) Certify, as a signatory party to the grant contract, that it is not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs.

(18) Comply with the applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of State Health Services as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

Other Certifications and Assurances

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM CERTIFICATION

The Applicant Organization certifies that if it is required to file an Equal Employment Opportunity Plan (EEOP), the Applicant Organization will do so in compliance with the applicable federal requirements.

DISCLOSURE AND CERTIFICATION REGARDING LOBBYING

The Applicant Organization certifies:

1. No federal/state 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 or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with the awarding of any federal/state contract, the making of any federal/state grant, the making of any federal/state loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal/state contract, grant, loan, or cooperative agreement; and

2. If any non-federal/state 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 or the Texas Legislature, an officer or employee of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with this federal/state contract, grant, loan, or cooperative agreement, the undersigned shall contact the OAG for the "Disclosure Form to Report Lobbying."

NON-PROCUREMENT DEBARMENT CERTIFICATION

The Applicant Organization certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal or State benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) 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 or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) 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. Tex. Gov't Code § 2155.077.

If Applicant Organization is unable to certify to any of the statements in this Non-procurement Debarment certification, the Applicant Organization shall attach an explanation. Funding is contingent upon OAG review of this explanation.

DRUG-FREE WORKPLACE CERTIFICATION

As applicable, the Applicant Organization certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees/assignees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant Organization's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. Establishing a drug-free awareness program to inform employees/assignees about:
 - 1. The dangers of drug abuse in the workplace;
 - 2. The Applicant Organization'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/assignees for drug abuse violations.
- C. Making it a requirement that each employee/assignee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A).
- D. Notifying the employee/assignee in the statement required by paragraph (A) that, as a condition employment/assignment under the grant, the employees/assignee will:
 - 1. Abide by the terms of the statement, and
 - 2. Notify the Applicant Organization and the OAG of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.
- E. Notifying the agency within ten days after receiving notice under subparagraph (D) (2) from an employee/assignee or otherwise receiving actual notice of such conviction.
- F. Taking one of the following actions with respect to any employee/assignee so convicted:
 - 1. Taking appropriate personnel action with respect to any employee/assignee so convicted;
 - 2. Requiring such employee/assignee to participate satisfactorily in 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 the implementation of paragraphs (A), (B), (C), (D), (E), and (F).

ANNUAL SINGLE AUDIT CERTIFICATION

The Applicant certifies to the best of its knowledge and belief that one of the following applicable requirements will be met:

- 1. The Applicant currently expends \$750,000 or more, in combined federal funds during the fiscal year; and, therefore, is required to submit an annual single audit by an independent auditor made in accordance with the Single Audit Act Amendments of 1996 and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.
- 2. The Applicant currently expends \$750,000 or more in combined state funds during the fiscal year; and, therefore, is required to submit an annual Single Audit by an independent auditor made in accordance with the Texas Grant Management Standards (TxGMS).
- 3. The Applicant currently expends less than \$750,000 in either federal or state funds during the

fiscal year; and therefore is exempt from the Single Audit Act. Applicant agrees that the OAG may require a limited scope audit as defined in Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.

If this Application is for funds in excess of \$25,000, the Applicant certifies the following:

By submission of this proposal, that neither the Applicant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or state agency.

If the Applicant is unable to certify the above statements, the Applicant has attached an explanation to this Application.

COMPLIANCE WITH ANNUAL INDEPENDENT FINANCIAL AUDIT FILING REQUIREMENT

Applicants that are required to undergo a single audit or Annual Independent Financial Audit by statute, regulation, or organizational policy must complete and submit the Single Audit or Annual Financial Audit of the complete program and/or organization and management letter of the audit findings within nine months of the end of the fiscal year of the agency. The audit will meet Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 and Texas Grant Management Standards (TxGMS) requirements. Additionally, the Annual Independent Financial Audit will meet Generally Accepted Government Auditing Standards in the event a Single Audit is not required. Applicants whose expenditures require the completion of a Single Audit, must submit a Single Audit to the OAG, an Annual Independent Financial Audit will not satisfy the audit requirement. Applicants who do not meet the expenditure threshold of the Single Audit and are not required by statute, regulation, or organizational policy to complete an Annual Audit, are not required to submit an Annual Audit to the OAG.

Funded Applicants who are required to submit an audit, must submit an audit for previous fiscal year for each year of the grant cycle. Example: For FY 2022, the 2021 audit must be submitted.

COMPLIANCE WITH TxGMS AND THE APPLICABLE 2 CFR 200

The Applicant assures that it will follow the guidelines in the Texas Grant Management Standards (TxGMS). Both governmental entities as well as non-profit entities are required to follow TxGMS guidelines.

The Applicant assures compliance with all federal/state statutes, regulations, policies, guidelines and requirements, including, but not limited to, TxGMS as well as 2 CFR 200 titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

RETURN OF GRANT FUNDS IN THE EVENT OF LOSS OR MISUSE

The Applicant Organization agrees that in the event of loss or misuse of the OAG funds, the Applicant Organization assures that the funds will be returned to the OAG in full.

CONFLICT OF INTEREST

The Applicant Organization assures that there is no conflict of interest that would preclude it from filing the Application or providing the services under this grant. By submitting this Application, Applicant Organization affirms that it has neither given, nor intends to give, at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, at any time during the procurement process or in connection with this grant application, except as allowed under relevant state and federal law. The Applicant Organization further agrees that it will establish safeguards to prohibit its employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain. The Applicant Organization shall operate with complete independence and objectivity without actual, potential, or apparent conflict of interest with respect to the activities conducted under this grant.

Without diminishing the provisions of the prior paragraph, the Applicant Organization assures that as a grantee, grantee personnel, members of a grantee board or governing body, or other persons affiliated with the grant project shall not participate in any proceeding or action where grant funds personally benefit, directly or indirectly, the individuals or their relatives unless otherwise provided by law as applicable under Texas Government Code, Chapter 225. For the purposes of this provision, "relatives" means persons related to the individual within the third degree by consanguinity or within the second degree by affinity, as determined by Chapter 573 of the Government Code. Grant personnel and officials must avoid any action that results in or creates the appearance of using their official positions for private gain; giving preferential treatment to any person; losing independent judgment or impartiality; making an official decision outside of official channels; or adversely affecting the confidence of the public in the integrity of the program or the OAG.

AUTHORITY TO FILE APPLICATION

The Applicant Organization has the authority or will receive the appropriate authority by the Applicant Organization's governing body to file the Application, including the authority to agree to the assurances and certifications contained herein.

V. REQUIRED DOCUMENTS FOR SUBMISSION OF APPLICATION

APPLICATION

- The Application must be submitted via GOALS

Attachment A is the “AFFIDAVIT OF ELIGIBILITY” and can be found at the end of this Application Kit.

- **This Attachment must be signed, notarized and uploaded at the time the Application is submitted to the OAG.**
- **Applications that are received by the OAG without this Attachment will not be considered or funded by the OAG.**

Attachment B is the “RESOLUTION OF GOVERNING BODY” and can be found at the end of this Application Kit. (Please note that the Authorized Official must be designated by signature of the governing body. If the Authorized Official is also a member of the governing body, the Authorized Official must be designated by another member’s signature. The Authorized Official cannot sign the Resolution designating him/herself as the Authorized Official.)

- This Attachment must be signed and uploaded at the time the Application is submitted to the OAG, unless the timing of the Application due date and requirements of the governing body prevent it from reviewing and approving the Resolution, in which case it may be submitted to the OAG at a later date.
- Applicant Organization may use the form provided or a form with the same components included.

JOB DESCRIPTIONS (IF REQUESTING PERSONNEL) are required for each position requested in the proposed budget.

- Job descriptions (if applicable) must be uploaded with the Application under “Upload Additional Documents”. Should the Applicant request funding for Personnel, missing job descriptions may impact the Applicant’s funding.

THE APPLICANT SHOULD UPLOAD “ATTACHMENT A”, “ATTACHMENT B”, AND JOB DESCRIPTION(S) (IF REQUESTING PERSONNEL) IN EACH OF THE CORRESPONDING “TASKS” LOCATED ON THE MAIN PAGE OF YOUR APPLICATION.

ATTACHMENT A — REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 11:59 P.M CDT, FRIDAY JUNE 25, 2021, OR THE APPLICATION WILL NOT BE CONSIDERED.

AFFIDAVIT

STATE OF TEXAS §

§

COUNTY OF §

I, (((NAME))), (((POSITION))) OF, (((LEGAL NAME OF APPLICANT ORGANIZATION))) DO HEREBY CERTIFY UNDER PENALTY OF PERJURY AS FOLLOWS:

- (1) I am authorized to submit the foregoing application on behalf of (((name of organization))) for a grant under the Choose Life Grant Program.
- (2) I have read and understand the Certifications and Assurances contained in the Application Kit.
- (3) I understand that a Resolution of the Governing Body of (((name of organization))) as described in ATTACHMENT B must be submitted before this application for a grant may be approved.
- (4) (((name of organization))):
 - (a) is an organization that provides services in this state and is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt charitable organization under Section 501(c)(3) of that code;
 - (b) provides counseling and material assistance to pregnant women who are considering placing their children for adoption;
 - (c) does not charge for services provided;
 - (d) does not provide abortions or abortion-related services or make referrals to abortion providers;
 - (e) is not affiliated with an organization that provides abortions or abortion-related services or makes referrals to abortion providers; and
 - (f) does not contract with an organization that provides abortions or abortion-related services or makes referrals to abortion providers.
- (5) To the best of my knowledge and belief all information contained in the foregoing application for a grant under the Choose Life Program is true and correct.
- (6) I understand that failure to comply with the requirements of the Choose Life Grant Program may result in the cancellation of any grant that may be awarded.

Signature

Printed Name

State of Texas §

County of _____ §

Subscribed and sworn before me this ___ day of _____, 20___.

Notary Signature: _____

My commission expires: _____

(Seal)

ATTACHMENT B —REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 11:59 P.M CDT, FRIDAY JUNE 25, 2021.

IF THE TIMING OF THE APPLICATION DUE DATE PREVENTS THE GOVERNING BODY FROM REVIEWING AND APPROVING THE RESOLUTION, THEN IT MAY BE SUBMITTED TO THE OAG AFTER THE DUE DATE.

RESOLUTION OF GOVERNING BODY

LEGAL NAME OF APPLICANT ORGANIZATION: _____

Be it known as follows:

WHEREAS, the _____, [Name of Applicant Organization] has applied or wishes to apply to the Office of the Attorney General, (OAG) for the following grant program:

- Choose Life Grant Program

WHEREAS, the _____, [Name of Governing Body of Applicant Organization, such as Board of Directors], has considered and supports the Application filed or to be filed with the OAG;

WHEREAS, the _____, [Name of Applicant Organization] has designated or wishes to designate the following individual as the "Authorized Official" who is given or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the OAG, as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee:

Name of Person Designated as "Authorized Official": _____

Position Title: _____

NOW THEREFORE, BE IT RESOLVED that this governing body approves the submission of the Application to the OAG as well as the designation of the Authorized Official.

Signature

Printed Name

Date