

**REQUEST FOR APPLICATIONS (RFA)**  
**FY2024 Immigrant Justice Legal Services Grant**

<b>Release Date of RFA:</b>	Monday, June 12, 2023
<b>Pre-Bidders’ Conferences:</b>	<p>Wednesday, June 21, 2023 (4:00 pm – 5:00 pm)</p> <p>John A. Wilson Building - Press Room G9          1350 Pennsylvania Ave., NW          Washington, DC 20004</p> <p>Register here:  <a href="https://tinyurl.com/FY24IJLSGrantsPrebid">https://tinyurl.com/FY24IJLSGrantsPrebid</a></p>
<b>Submission Deadline:</b>	<p>Friday, July 7, 2023 at 5:00 pm EST</p> <p>Incomplete or late applications will not be accepted</p>
<b>Submission Details:</b>	<p>Online submissions only. Please submit a complete application through ZoomGrants:</p> <p><a href="https://www.zoomgrants.com/gprop.asp?donorid=2247&amp;limited=4693">https://www.zoomgrants.com/gprop.asp?donorid=2247&amp;limited=4693</a></p>
<b>Point of Contact:</b>	<p>Ianna Zaroubine Arenas, Grants Management Specialist          Mayor’s Office on Latino Affairs          Phone: 202-671-3014          Email: <a href="mailto:ianna.arenas1@dc.gov">ianna.arenas1@dc.gov</a></p> <p>Cristina Sacco, Associate General Counsel          Office of the General Counsel          Phone: 202-617-0671          Email: <a href="mailto:cristina.sacco@dc.gov">cristina.sacco@dc.gov</a></p>
<b>Availability of RFA:</b>	<p>The RFA will be posted on the <b>District’s Grant Clearinghouse:</b>  <a href="https://communityaffairs.dc.gov/content/community-grant-program">https://communityaffairs.dc.gov/content/community-grant-program</a></p>



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## SECTION I – General Information

### A. Introduction

The Executive Office of the Mayor (EOM) is soliciting grant applications from qualified Community Based Organizations (CBOs) and private organizations serving District of Columbia residents for its FY 2024 Immigrant Justice Legal Services Grant Program (IJLS). The \$3.5 million IJLS grant program will support the provision of legal services to the DC immigrant population, as well as language access services which support the legal services provided by other grantees and ensure compliance with Language Access Act requirements. The IJLS Grant Program offers one-time grants and provisional multi-year grants to CBOs with a current and valid 501(c)(3) status, as well as private organizations, associations, and law firms that plan to mobilize pro bono talent or skilled immigration attorneys and legal professionals in order to provide immigrant justice legal services. Organizations are only eligible to apply for a multi-year grant if the organization has been a IJLS grantee with satisfactory performance for at least two years.

### B. Funding Areas

To qualify for the IJLS grant, the applicant needs to provide services in at least one of the seven (7) funding areas listed below:

1. **Know Your Rights Presentations** include briefings or workshops by the applicant to educate the immigrant community in Washington, DC about their legal rights and options. For the purposes of this grant, the applicant hosting the “Know Your Rights” presentation must be an attorney or an accredited representative or must collaborate with an organization that has an attorney or an accredited representative on staff who runs these presentations. If an attorney or an accredited representative is not present and running a “Know Your Rights” presentation, it will not qualify as a funded activity under the IJLS grant.
2. **Brief legal representations** include limited scope representations, brief legal consultations, legal screenings, and making appropriate referrals to pro bono or paid counsel with little ongoing oversight for possible legal relief, for individual persons, on immigration matters such as but not limited to, review of N-400 citizenship applications or filing renewal applications and assisting with legal preparedness should a family member be detained or deported.
3. **Full legal representations** include full representation by pro bono counsel supervised by or in conjunction with the applicant organization, or by staff or contracted attorneys and trained legal professionals, on the array of immigration matters including but not limited to helping DC residents apply for green cards, making affirmative and defensive USCIS filings, such as filing applications for S, T, U, Special Immigrant Juvenile visas and Violence Against Women Act (VAWA) petitions for DC residents or family members of DC residents; providing legal help for family reunification efforts for families with at least one DC resident such as through spousal visas, or adult children sponsoring their parents; resolving legal issues as part of preparation for green card or citizenship applications; preparing affirmative and defensive asylum applications and providing legal representation at asylum interviews and/or hearings for DC residents; representing DC residents who are in removal proceedings, including filing petitions of cancellation of removal, where such applications have a reasonable likelihood of success (e.g., for

persons who are not detained for a serious criminal offense involving a crime of moral turpitude at the time representation begins), and helping address the legal issues of refugees or potential asylees in the District and District families seeking to welcome refugees or persons seeking asylum to their homes or organizations seeking to sponsor refugees or persons seeking asylum in the District. Depending on the level of help offered, full legal representation may include protecting the financial assets and custody for DC children in the face of potential deportation of parents or guardians; and helping DC families provide foster homes, adopt, or sponsor refugees and children from war-torn countries.

4. **Protection of temporary protected status (TPS) holders in Washington, D.C.:** organizing and conducting full *legal* campaigns to TPS holders in Washington, DC, including advocacy before federal agencies, structural litigation, as well as individual legal representation.
5. **Structural litigation** can include filing any lawsuits that may become necessary to challenge federal practices or interpretations of immigration law that violate the rights of immigrants, with plaintiffs who are DC-resident immigrants.
6. **Capacity building** entails building non-profit organization capacity to provide continuing legal representation to Washington, DC immigrants, and/or train and mentor pro bono attorneys to perform any of the above tasks, and otherwise build long-lasting capacity to provide legal services to the District's immigrant population. A prominent example is an organization supporting one or more of its staff members in obtaining "Accredited Representative" status, or an organization seeking "Recognized Organization" status.
7. **Language Access Services** involves providing culturally-competent language access services to other IJLS grantees on an as-needed basis (to the greatest feasible extent) for IJLS grantees to fulfill their grant obligations and help grantees comply with Language Access Act requirements, supplementing, if necessary, a language access program funded with other dollars. Services shall be delivered by persons trained in providing interpretation of legal documents and on legal matters, across a broad range of languages spoken by immigrants in Washington, DC. Proposals for this component will not have a capped limit, and while priority is given to the provision of legal services, the amount that will be allocated to language access services will be determined by the needs of the program on a yearly basis and available funds.

### C. Target Population

The target population for these funds is immigrants of all ages who reside in the District of Columbia and families of mixed immigration status with at least one family member in the District of Columbia, except for the final category of services targeted to IJLS grantees. Although we do not require organizational applicants to inquire as to the income of their clients, the expectation is that legal services will be delivered through this grant to persons who could not afford full-priced paid legal representation on a free or low-cost, affordable basis.

### D. Eligible Organizations

Applicants shall meet the following conditions in order to apply for the IJLS grant:

1. The organization is a CBO with a Federal 501(c)(3) tax-exempt status or evidence of fiscal agent relationship with a 501(c)(3) organization; or be a private entity, such as a coalition or association, that is partnering with one or more 501(c)(3) organizations;
2. The organization's principal place of business must be located in the District of Columbia; or, if a national or regional organization, it must have a location in the District through which it provides services;
3. The organization must provide legal services to the DC immigrant population or collaborate with an organization and/or attorney who provides legal services to the DC immigrant population through the organizational efforts of the applicant;
4. The organization must be currently registered in good standing with the DC Department of Licensing and Consumer Protection, Corporation Division, and the Office of Tax and Revenue;
5. All services and programming to receive funds must be provided in the District of Columbia except where a DC resident is in a detention facility outside the District; in that case, services can be rendered at the detention facility, or where someone is outside the District and seeking to reunite with District resident family members and services need to be rendered to the person outside the District; and
6. *(This requirement applies only to Current IJLS grantees)* Current grantees must be current on IJLS reporting obligations for the FY23 grant cycle and those reports must reflect substantial progress towards the goals of their grant agreement.
7. *(This requirement applies only to Current IJLS grantees)* Organizations are eligible to apply for a multi-year grant if the organization has been an IJLS grantee with satisfactory performance for at least two consecutive years.

Preference will be given to applicant organizations that can demonstrate a proven track record and can innovate or excel in the following areas:

1. Success in meeting or exceeding proposed deliverables under previous IJLS grants;
2. Legal services delivery;
3. Client success;
4. Immigration law expertise;
5. Connections to and trust among DC immigrant populations;
6. Demonstrated ability to comply with the grant terms, including prompt communication with grant administrator requests.

## **E. Number of Awards, Amounts and Duration of Grant**

Only one application per organization as lead applicant will be accepted for immigration legal services, though CBOs and law firms may be subgrantees for more than one application or provide legal support

to more than one applicant. An applicant for the language access dollars (*Funding Area #7*) may also submit an application to provide legal services as described in *Funding Areas #1-6*. Be advised that the grants competition is intense and that grant resources are limited. EOM is unlikely to be able to support all of the many worthwhile applications anticipated. The grant award will be for a period not to exceed 12 months, with an earliest starting date of October 1, 2023 and a closing date of September 30, 2024.

## **F. Multi-Year Grant Option**

IJLS grantees will have the opportunity to apply for a multi-year grant agreement under IJLS, but IJLS grantees must first be an IJLS grantee with satisfactory performance for two consecutive years in order to be eligible for the multi-year grant option. The IJLS program will offer multi-year grants for three (3) consecutive years. This process will allow successful applicants for such grants to forego the intensive RFA evaluation and selection process on a yearly basis, and may facilitate hiring by grantees, on the reasonable assurance that the program is likely to continue for at least three years. Multi-year grants give grantees the assurance of being part of the IJLS program for three (3) years subject to the availability of continued funding and satisfactory grantee performance, much like an option year in a contract. Multi-year proposals should reflect planned amounts needed.

If a grantee is interested in a multi-year grant with IJLS, it should be clearly indicated on your proposal narrative and please submit budgets, staffing plans, performance plans and key performance indicators for all three (3) consecutive years. We require that IJLS grantees submit this information in the supporting documents tab of Zoomgrants. We require multi-year grant proposals to be submitted in table format in Word or Excel with an accompanying narrative explaining any difference between each fiscal year's budget, staffing plan, performance plan and key performance indicators. If a grantee does not want to pursue a multi-year grant option with IJLS, please indicate in your proposal that your organization is only seeking grant funds for FY 24.

## **G. Key Performance Indicators**

Key performance indicators are quantifiable measures used to evaluate the success of an organization in meeting objectives for performance under the IJLS grant. We require uniform reporting of certain key performance indicators, plus any additional metrics that the applicants wish to provide so that we may better assess the performance of the grantees. Listed below are the key performance indicators that grantees are evaluated on under the IJLS grant. When submitting your proposals, it is very important that your organizations clearly set the key performance indicators you will perform under because that is what you will be evaluated on throughout the grant year. The FY 2024 IJLS Grant Program's key performance indicators are:

1. Number of Know Your Rights Presentations and reporting on these by including the following:
  - a. Dates of presentations;
  - b. Descriptions of presentations;
  - c. Number of attendees who are DC residents; and
  - d. Name of attorney or accredited representative that hosted or presented at the presentation.

2. Number of individual screenings, brief legal consultations and/or limited scope representations for DC residents provided by the organization's:
  - a. Staff;
  - b. Lawyer paid through the IJLS grant; and/or
  - c. Mentored pro bono counsel.
  
3. Number of full legal representations for DC residents provided by the organization's:
  - a. Staff;
  - b. Lawyer paid through the IJLS grant; and/or
  - c. Mentored pro bono counsel.
  
4. Number of successful resolutions\* for individual DC clients is based on:
  - a. Number of successful resolutions initiated under a prior IJLS grant;
  - b. Number of successful resolutions initiated prior to or separate from IJLS funding, but supported through IJLS;
  - c. Number of successful resolutions initiated under this IJLS grant; and
  - d. Time devoted by one or more lawyers to legal matters under IJLS grant.

\* Please keep in mind that successful resolutions include immigration applications that are granted, but also interim successes in connection with a pending or prospective immigration application. For example, helping a client obtain a work permit, advance parole to obtain a lawful entry, a visa extension or an expungement of a criminal record that would otherwise have defeated an application can all count as client successes. However, a grantee cannot count as successes each TPS client from a country if the DHS extends TPS for that country.

5. Number of capacity building initiatives which can include:
  - a. Staff who file for or obtain Board of Immigration Appeals (BIA) accredited representative status;
  - b. Paralegal or legal staff hired or paid through IJLS funding;
  - c. Training or mentoring sessions for pro bono counsel, which includes individual and group training sessions;
  - d. Partnerships between community organizations and legal service providers, or among providers who cross-refer matters. These can either be new partnerships or ones involving ongoing training for an existing partner where staff are educated as to what to be on the alert for to make a referral to legal counsel; and/or
  - e. Partnerships between community organizations and legal service providers for organizing and conducting full legal campaigns to protect temporary protected status (TPS) holders in Washington, DC to the extent that capacity to conduct such campaigns is improved through the work funded by IJLS.
  
6. Language access services provided to other IJLS grantees should indicate:
  - a. Number of languages provided by your organization;
  - b. Number of live interpretations provided by your organization;
  - c. Documents translated by persons trained in providing interpretation of legal documents and on legal matters;



- d. Capacity to meet colleague organizations' demand for projects funded by IJLS (full/partial – likely percentage), including through other funding sources; and/or
  - e. Funds expected/obtained through other sources to fill rest of demand
7. Other key performance indicators related to immigrant justice important to the organization's program

**NOTE:** if your organization is working with another applicant, take measures to guard against “double counting” of the work and persons served. It *may* be possible for grantees to conduct KYR workshops together, where each has a role in publicizing the session and providing legal guidance, and each counts attendees present if they received legal guidance from both organizations. It may be possible for one organization to do an initial screening and find that the client is best served by another organization, provide brief legal advice, make a referral, and the second grantee also does an initial assessment and provides more brief legal advice. But if a referral is made for full legal representation, the referring agency cannot count the work of another IJLS grantee as its own work. These are just examples – the point is, be careful not to participate in double-counting of the same work.

## **H. Application Review & Awards**

The order of review of applications is as follows:

- First, applications will be reviewed by an external independent review panel that will submit funding recommendations to EOM. The review panel will be comprised of qualified individuals selected for their experience in legal services, grant administration, project management, immigration and education.
- Second, an internal review panel likely to be comprised of the Directors from the Mayor's Office on Asian & Pacific Islander Affairs, the Mayor's Office on Latino Affairs and the Mayor's Office on African Affairs (or their designees) and an Associate General Counsel in the Mayor's Office of General Counsel will prepare an assessment of each application that will be submitted to the final review panel. The final review panel will take under consideration the external independent review panel's recommendations, any reports submitted by prior IJLS grantees on their prior work funded through IJLS, reports of site visits to grantees conducted by EOM, and their experience, if any, with the applicants; with an eye towards making sure the final array of funded proposals meets the legal needs of Washington, DC's immigrant community as a whole.
- Third, based on the external and internal review panel recommendations, the Mayor's budget priorities, the resources available, and to achieve a balance as to communities served and the goals of the program, the final decisions will be made by a panel comprised of the Mayor's General Counsel, the Director of the Mayor's Office on Community Affairs and such other persons as may be designated.
- The final funding decisions cannot be contested, and the notes and scores provided by all reviewers are deliberative and will not be released, so as to promote candid, informed remarks.

Approved amended proposals and Letters of Agreement are public documents, subject to redaction to protect privacy and other redactions consistent with the District's Freedom of Information Act and other laws. Executive branch officials may or may not provide feedback to applicants upon request about how their application might be improved in a subsequent year, depending on officials' time availability.

## I. Award Notification

Award notifications will be released **within the first two weeks of August 2023** through email and/or the grant application program, ZoomGrants. Awards may be for less money than proposed, in which case the grantee and EOM shall negotiate any modifications necessary in the grant proposal and its deliverables. For successful applicants, the Letter of Agreement will contain funding restrictions; programmatic, administrative, insurance and national policy requirements; reporting documents, including total budget; the amount of grant funding for the program; and payment terms. This agreement may be modified depending on specific project needs.

## J. Submission Guidelines

The **ONLY** method to submit an application is the online web portal ZoomGrants.

**Applications are due no later than Friday, July 7, 2023 at 5:00 p.m. Eastern.** Applications must be complete by the deadline. EOM may, but is not required to, alert an early applicant of an obvious defect in its application, and may, but is not required to, allow an early applicant to amend its application. All applicants will receive notification from ZoomGrants when their applications are received. Applications received after the deadline on **Friday, July 7, 2023 at 5:00 p.m. Eastern** will automatically be disqualified and will not be forwarded to the Review Panel for funding consideration. Applicants are encouraged to submit applications in advance of the deadline because computer systems can slow down or encounter technical problems when too many persons attempt to access a site simultaneously. Any additions or deletions to an application, unless requested by the Grantor Agency, will not be accepted after **Friday, July 7, 2023 at 5:00 p.m. Eastern.**

If you have questions about using ZoomGrants, please see the following resources:

- [Welcome Packet for Applicants/Reviewers](#)
- [Overview of ZoomGrants Video](#)
- [Applicants' Tutorial](#)

If you are unable to submit using ZoomGrants, please contact the individual listed below:

Ianna Zaroubine Arenas, Grants Management Specialist  
Mayor's Office on Latino Affairs  
Phone: 202-671-3014  
Email: [ianna.arenas1@dc.gov](mailto:ianna.arenas1@dc.gov)

Cristina Sacco, Associate General Counsel

Office of the General Counsel

Phone: 202-617-0671

Email: [cristina.sacco@dc.gov](mailto:cristina.sacco@dc.gov)

## **K. Pre-Bidders' Conference**

All interested applicants who have questions regarding the RFA are encouraged to attend the pre-bidders' conference. Reviewers will take into consideration whether applicants attend the pre-bidders conference on

Wednesday, June 21, 2023 (4:00 pm – 5:00 pm)  
John A. Wilson Building - Press Room G9  
1350 Pennsylvania Ave., NW  
Washington, DC 20004

**If a representative from your organization is unable to attend the pre-bidders' conference, we encourage you to email your questions prior to the pre-bidders' conference, but no later than Wednesday, July 5<sup>th</sup> at 5:00pm EST to [grants.ola@dc.gov](mailto:grants.ola@dc.gov) with the subject line "IJLS FY24 Question".**

Outside of the pre-bidders' meetings, EOM will **only** receive or answer questions related to this grant competition if submitted in writing via e-mail. Due to the volume of inquiries and other administrative tasks, questions submitted after **Wednesday, July 5<sup>th</sup>, 2023 at 5:00pm Eastern** may not receive a response.

All questions and answers from the pre-bidders' meetings will be posted on the District's Grant Clearinghouse and/or emailed to all attendees.

## **L. Insurance Requirements**

The Grantees at their sole expense shall procure and maintain, during the entire period of performance under this grant, the types of insurance specified below. The Grantee shall submit a Certificate of Insurance to the Grant Administrator giving evidence of the required coverage prior to commencing performance under this grant. In no event shall any work be performed until the required Certificates of Insurance signed by an authorized representative of the insurer(s) have been provided to, and accepted by, the Grant Administrator.

The Government of the District of Columbia shall be included in all policies, where applicable and allowable by law, required to be maintained by the Grantee and its subcontractors (except for workers' compensation and professional liability insurance) as an additional insured for claims against the Government of the District of Columbia relating to this grant, with the understanding that any affirmative obligation imposed upon the insured Grantee or its subcontractors (including without limitation the liability to pay premiums) shall be the sole obligation of the Grantee or its subcontractors, and not the additional insured.

The additional insured status under the Grantee's and its subcontractors' Commercial General Liability insurance policies shall be effected using the Insurance Services Office, Inc, ("ISO") Additional Insured Endorsement form CG 20 10 (12 19 edition) and CG 20 37 (12 19 edition) or such other endorsement or combination of endorsements providing coverage at least as broad and approved by the Grant Administrator in writing. All of the Grantee's and its subcontractors' liability policies (except for workers' compensation and professional liability insurance) shall be endorsed using ISO form CG 20 01 (04 13 edition) or its equivalent so as to indicate that such policies provide primary coverage (without any right of contribution by any other insurance, reinsurance or self-insurance, including any deductible or retention, maintained by an Additional Insured) for all claims against the additional insured arising out of the performance of this Statement of Work by the Grantee or its subcontractors, or anyone for whom the Grantee or its subcontractors may be liable. These policies shall include a separation of insureds clause applicable to the additional insured.

If the Grantee and/or its subcontractors maintain broader coverage and/or higher limits than the minimums shown below, the District requires and shall be entitled to the broader coverage and/or the higher limits maintained by the Grantee and subcontractors.

The Grantees shall procure and maintain, during the entire period of performance under this grant, the following types of insurance:

1. Commercial General Liability Insurance ("CGL") - The Grantee shall provide evidence satisfactory to the Grant Administrator with respect to the services performed that it carries a CGL policy, written on an occurrence (not claims-made) basis, ISO form CG 00 01 (or another occurrence-based form with coverage at least as broad and approved by the Grant Administrator in writing), covering liability for all ongoing and completed operations of the Grantee and under all subcontracts, covering claims for bodily injury, including without limitation sickness, disease or death and mental anguish of any persons, broad form property damage, including loss of use resulting therefrom, personal and advertising injury, and including coverage for liability arising out of an Insured Contract (including the tort liability of another assumed in a contract) and acts of terrorism (whether caused by a foreign or domestic source). Such coverage shall have limits of liability of not less than \$1,000,000 each occurrence, a \$2,000,000 general aggregate.

The Commercial General Liability shall be further endorsed to:

- a. To the fullest extent permitted by law, provide additional insured coverage using ISO form to The Government of the District of Columbia.
  - b. Coverage available to the additional insureds shall apply on a primary and non-contributing basis as respects any other insurance, deductibles, or self-insurance available to the additional insureds.
  - c. A waiver of subrogation in favor of The Government of the District of Columbia.
  - d. Any Annual Aggregate shall apply on a per location or per project basis (where applicable).
  - e. Defense costs shall be in addition to and not erode the limits of liability.
2. Automobile Liability Insurance – If the Grantee's work under the IJLS grant requires the use of an automobile, the Grantee shall provide evidence satisfactory to the Grant Administrator of commercial (business) automobile liability insurance written on ISO form CA 00 01 (or another form with coverage at least as broad and approved by the GA in writing) including coverage for all owned, hired, borrowed and non-owned vehicles and equipment used by the Grantee in connection with work under

this agreement, with a minimum combined single limit of \$1,000,000 for bodily injury or death and property damage, including loss of use thereof. Such policy or policies of automobile liability insurance shall be written on an "occurrence" (as opposed to a "claims made") basis.

Auto Physical Damage Coverage - The Grantee shall provide auto physical damage insurance to cover loss to a covered auto or its equipment:

- a. Comprehensive - Fire, lightning or explosion; theft; windstorm, hail or earthquake; flood; mischief or vandalism; or the sinking, burning, collision or derailment of any conveyance transporting the covered auto; and
- b. Collision Coverage - Caused by: The covered auto's collision with another object or the covered auto's overturn.

The Commercial Auto Liability policy shall be further endorsed:

- a. To the fullest extent permitted by law, provide additional insured coverage to The Government of the District of Columbia;
- b. Coverage available to the additional insureds shall apply on a primary and non-contributing basis as respects any other insurance, deductibles, or self-insurance available to the additional insureds;
- c. To include a waiver of subrogation in favor of The Government of the District of Columbia;
- d. Defense costs shall be in addition to and not erode the limits of liability;
- e. If applicable, include Form CA 99 48 Pollution Liability - Broadened Coverage for Covered Autos - Business Auto, Motor Carrier and Truckers (or its equivalent).

3. Workers Compensation and Employer's Liability Insurance - If a Grantee has employees of the organization working on the grant, then the Grant is required to have Workers Compensation and Employer's Liability Insurance that meet the following requirements:

- a. Workers' Compensation Insurance - The Grantee shall provide evidence satisfactory to the Grant Administrator of Workers' Compensation insurance in accordance with the statutory mandates of the District of Columbia or the jurisdiction in which the grant is performed.
- b. Employer's Liability Insurance - The Grantee shall provide evidence satisfactory to the Grant Administrator of employer's liability insurance as follows: \$500,000 per accident for injury; \$500,000 per employee for disease; and \$500,000 for policy disease limit.

The Workers Compensation and Employers Liability shall be further endorsed to:

- a. Include a Waiver of Subrogation in favor of The Government of the District of Columbia.

4. Professional Liability Insurance (Errors & Omissions) – This insurance is required if the grant organization is providing professional advice as part of its work under the grant. The Grantee shall provide Professional Liability Insurance (Errors and Omissions) to cover liability resulting from any error or omission in the performance of professional services under this Grant. The policy shall provide limits of \$1,000,000 per claim or per occurrence for each wrongful act and \$2,000,000 annual aggregate. The Grantee warrants that any applicable retroactive date precedes the date the Grantee first performed any professional services for the Government of the District of Columbia and that continuous coverage will be maintained or an extended reporting period will be exercised for a period

of at least ten years after the completion of the professional services. Limits may not be shared with other lines of coverage.

5. Subcontractor Insurance Requirements - Any and all subcontractors engaged by Grantee for work under this agreement shall be required to have the same insurance required of Grantee. Should the Grantee wish to propose different insurance requirements than outlined below, then, prior to commencement of work by the subcontractor, the Grantee shall submit in writing the name and brief description of work to be performed by the subcontractor to the Grant Administrator and the Grant Administrator will confirm it with the Office of Risk Management. In either instance, the Grantee must provide proof of the subcontractor's required insurance prior to commencement of work by the subcontractor.
6. Primary and Noncontributory Insurance - The insurance required for this Grant shall be primary to and will not seek contribution from any other insurance, reinsurance or self-insurance including any deductible or retention, maintained by the Government of the District of Columbia.
7. Duration - The Grantee shall carry all required insurance until all grant work is accepted by The Government of the District of Columbia.
8. Liability - These are the required minimum insurance requirements established by The Government of the District of Columbia. However, it is understood that The Government of the District of Columbia does not in any way represent that the insurance or the limits of insurance specified herein are sufficient or adequate to protect your interests or liabilities and will not in any way limit the Grantee's liability under this grant.
9. Measure of Payment - The Government of the District of Columbia shall not make any separate measure or payment for the cost of insurance and bonds. The Grantee shall include all of the costs of insurance and bonds in the grant price.
10. Notification - The Grantee shall ensure that all policies provide that the Grant Administrator shall be given thirty (30) days prior written notice in the event of cancellation, non-renewal, or material changes to the extent such cancellation or material changes results in Grantee no longer complying with the above requirements. The Grantee shall provide the Grant Administrator with ten (10) days prior written notice in the event of non-payment of premium. The Grantee will also provide the Grant Administrator with an updated Certificate of Insurance should its insurance coverages renew during the grant. The Government of the District of Columbia may reasonably change the above insurance coverage requirements during the term of the Grant by giving Grantee at least 30 days' notice of the change. The Grantee must comply, at your expense, and deliver to the Grant Administrator evidence of compliance before the change becomes effective.
11. Certificates of Insurance - The Grantee must send to Grant Administrator, at least 10 days after execution of this Agreement, certificates of insurance evidencing the required insurance coverage and endorsements required herein. The Grantee must also provide us with evidence of renewal before the expiration date of each insurance policy. Grantee is responsible for providing us with 30 days advanced written notice if the certificate of insurance by the insurer has been canceled, reduced in coverage, or otherwise altered. Certificates of insurance must reference the corresponding grant number. Evidence of insurance shall be submitted to:

**The Government of the District of Columbia**  
**441 4th Street, N.W.**  
**Washington, DC 20001**

The Grant Administrator may request and the Grantee shall promptly deliver updated certificates of insurance, endorsements indicating the required coverages, and/or certified copies of the insurance policies. If the insurance initially obtained by the Grantee expires prior to completion of the grant, renewal certificates of insurance and additional insured and other endorsements shall be furnished to the Grant Administrator prior to the date of expiration of all such initial insurance. For all coverage required to be maintained after completion, an additional certificate of insurance evidencing such coverage shall be submitted to the Grant Administrator on an annual basis as the coverage is renewed (or replaced).

12. Disclosure of Information - The Grantee agrees that The Government of the District of Columbia may disclose the name and contact information of its insurers to any third party which presents a claim against The Government of the District of Columbia for any damages or claims resulting from or arising out of work performed by the Grantee, its agents, employees, servants or subcontractors in the performance of this grant.
13. Carrier Ratings - All Grantee's and its subcontractors' insurance required in connection with this grant shall be written by insurance companies with an A.M. Best Insurance Guide rating of at least A- VII or better (or the equivalent by any other rating agency) and licensed in the District of Columbia.
14. Warranties - When applicable, the Grantee should be named as an additional insured on the applicable manufacturer's/distributor's Commercial General Liability policy using Insurance Services Office, Inc. ("ISO") form CG 20 15 04 13 (or another occurrence-based form with coverage at least as broad). Grant Administrator should collect, review for accuracy, and maintain all warranties for goods and services.

## **M. Grant Acknowledgement**

All recipients of District of Columbia grants funds are required to list the District of Columbia as a donor on any donor lists at the appropriate level.

## **N. Terms and Conditions**

- Funding for this grant was included in the budget for FY 2024 submitted by the Mayor and approved by Council. Still, funding for those "awarded" grants under this program is contingent on that budget becoming effective. The RFA does not commit EOM to make an award and the Anti-Deficiency Act precludes the government from making a binding financial commitment until FY 2024, which begins October 1, 2023.
- EOM reserves the right to accept or deny any or all applications if EOM determines it is in the best interest of the Agency to do so. EOM shall notify the applicant if it rejects that applicant's proposal. EOM reserves the right to suspend or terminate an outstanding RFA.

- EOM reserves the right to issue addenda and/or amendments subsequent to the issuance of the RFA, or to rescind the RFA.
- EOM shall not be liable for any costs incurred in the preparation of applications in response to the RFA. Applicant agrees that all costs incurred in developing the application are the applicant's sole responsibility.
- EOM may conduct pre-award on-site visits to verify information submitted in the application and to determine if the applicant's facilities are appropriate for the services intended.
- EOM may enter into negotiations with an applicant and adopt a firm funding amount or other revisions for the applicant's proposal that may result from negotiations.
- EOM shall provide the citations to the statute and implementing regulations that authorize the grant or sub-grant; applicable federal and District regulations; payment provisions identifying how the grantee will be paid for performing under the award; reporting requirements, including programmatic, financial and any special reports required by the granting Agency; and compliance conditions that must be met by the grantee. If there are any conflicts between the terms and conditions of the RFA and any applicable federal or local law or regulation, or any ambiguity related thereto, then the provisions of the applicable law or regulation shall control, and it shall be the responsibility of the applicant to ensure compliance.
- The Executive Office of the Mayor and its constituent agencies may seek supplemental funding for this program from foundations and philanthropists. Applicants may agree or refuse to consent to their proposal being shown to any such philanthropist for possible consideration.
- Should a philanthropic donor place additional restrictions on any grant, the applicant will have an opportunity to agree or reject any such terms (possibly at the expense of not receiving the grant).

**This section is intentionally left blank.**



## **SECTION II – PROPOSAL FORMAT**

All applications must follow the instructions in the ZoomGrants Portal. The following sections will provide guidance of information applicants must include in their application:

### **A. Proposal Summary**

This section of the application should provide the reader with:

- A brief overview of your organization (history, mission and current programs), as well as of each of the partners in your collaboration, including a discussion of any programs you or your proposed partner(s) have conducted with IJLS funds between FY17-23 and any modifications you are proposing to make to your ongoing immigrant justice program particular to this grant;
- The goal(s) of the proposed program;
- A summary of the program objectives and expected outcomes;
- Whether you are seeking multi-year funding; and
- The estimated cost of the program for which you are seeking funding.

### **B. Program Narrative**

This section should answer the following questions using the format provided below. In your submission, please include both the question and your response. If a question below does not apply to your proposal, please indicate that it is not applicable to your proposal.

1. What is the name/title of your program(s)?
2. Using the list of purposes that were identified in Section I, Part B, what are the funding area(s) for which you are applying? (If you are applying for multiple areas, please in one or two sentences indicate how the project will address those areas)
3. What is the target population(s) that this project will serve? Does your organization have the language capacity in house to serve this population effectively, and if not, will you rely on the grantee(s) of the language services component of this grant? Or how will you comply with D.C. law regarding language access?
4. What is the service/program proposed?
5. Indicate whether you are applying for a multi-year grant and the budget total you are seeking for each fiscal year.
6. If your organization or collaborative was an IJLS grantee in any year between FY17 – FY 23, discuss the key performance indicators from any such grant and whether the applicant and its partners fell short of, met, or exceeded those metrics, with a brief discussion of whether your success drivers continue to be in place. If past metrics were not achieved, what has changed that will enable you to meet goals this year?
7. In narrative form, explain the proposed impact of your service/program.
8. Why is your organization or collaboration well positioned to implement this service/program? Please note your capacity, including human and financial resources, to implement the services/program and any experience in providing similar services.
9. If a collaboration is being proposed, describe your work together previously, if any, and what skills and connections each organization brings to the partnership.
10. In addition, please answer the following short questions:

- a. Does your organization/collaboration commit to finishing any legal matters or applications that are initiated with IJLS grant funds, even after the grant funding is gone?
- b. Consistent with protecting client confidences, do you commit to provide EOM updated information about any successes that were achieved through this grant, even past the term of the grant? This could include citizenship, asylum, visas and green cards obtained, families unified, etc.
- c. Do you commit to have a representative from your organization attend in-person grantee meetings and to sharing information for the good of the immigrant justice community and the organizations and lawyers serving Washington, DC immigrants?
- d. Could the Mayor or one of her delegates participate in an event(s) with your organization, if you receive support from this grant?

### **C. Budget**

A standard budget form and budget narrative form is provided within the application. The budget for this proposal shall contain detailed itemized cost information that shows personnel and other direct and indirect costs. There is no specific cap on indirect costs, which may include general administrative costs such as: legal, accounting, liability insurance, audits, and the like. Program costs may include application or biometric fees your organization pays on behalf of clients being served by the grant or fees paid to physicians or consulting psychiatrists or counselors in support of a legal application for immigration relief, but the gist of this program shall be legal services delivery, not payment of application fees.

Program funds **cannot** be used:

- For food expenditures;
- For lobbying;
- To cover any expenses made prior to the grant award (however, cases funded through this grant may have been initiated prior to this grant and may have been initiated through previous IJLS funding);
- To supplant (replace) funds from other grant sources; or
- To provide legal services to persons who are not resident in DC, except family members as discussed above, or persons detained outside DC, who were residents of the District prior to their detention.

### **Attachment A – Budget Narrative/Justification**

This section describes the proposed expenditures, including the purpose or reason for the expenditure (personnel and non-personnel) and calculation of costs. If applying as a collaboration, please include the appropriate division of budget between the two or more organizations that are applying and include the justification for the allocation. Please also include the value of any pro bono legal services that you anticipate being donated to your program. If your organization does work regionally, please provide us with information to reassure us that the IJLS funds will not simply enable you to shift current, non-District monies to operations outside the District but rather will allow you to expand your work on behalf of District residents. **Also, please specify how your project would be affected if total funding awarded were less than the amount requested. State whether your project could be completed with a smaller amount,**

**and how your projected outcomes would be affected by any funding reduction. Please be as specific as possible – for example, if your project is scalable, and/or if there are notches where funding must be made in certain chunks to fund particular positions.**

#### **D. Staffing Plan**

This section should contain the name of staff assigned, or (if known) to be hired for the program, job title of staff positions, and percentage (%) of time spent on the program. If the position is not filled, a projected start date as to when the position will be filled should be supplied. If applying as collaboration, please note the organizational affiliation of each staff member, pro bono counsel, if a particular firm or limited set of firms is expected to be providing most of the services, or paid counsel. Note that grantees in the past have sometimes had trouble hiring legal staff at very low wages; your application will not be penalized for proposing that staff be paid commensurate with their specialized talents and experience in delivering immigrant legal services.

Note, if an employee is paid 100% through IJLS funds, all their professional time, over and above routine administrative tasks, must be devoted to IJLS-eligible work. Do not low-ball deliverables so as to allow IJLS-funded staff to do work outside this grant. If you want the staff to be available to help persons from neighboring jurisdictions or to provide general poverty-law services or other legal services outside the grant, be sure to include only partial salary for that person in your staffing and budget proposals. Likewise, do not double count staff time paid for by other District government grants.

#### **E. Performance Plan**

Using the Key Performance Indicators (KPIs) below to create a performance plan for your program by listing the program's objectives and related activities, timeline for implementation and completion, and responsible staff. If your organization has additional performance indicators that are not listed below but are important to your program, please incorporate those indicators in the performance plan.

#### **Attachment B – Key Performance Indicators (KPIs) Performance Plan and Other Information**

Please set forth your performance plan giving projected numbers for the key metrics specified.

1. Number of Know Your Rights Presentations and reporting on these by including the following:
  - a. Dates of presentations;
  - b. Descriptions of presentations;
  - c. Number of attendees that are DC residents; and
  - d. Name of attorney or accredited representative that hosted or presented at the presentation.
2. Number of individual screenings, brief legal consultations and/or limited scope representations for DC residents provided by the organization's:
  - a. Staff;
  - b. Lawyer paid through the IJLS grant; and/or
  - c. Mentored pro bono counsel.

3. Number of full legal representations for DC residents provided by the organization's:
  - a. Staff;
  - b. Lawyer paid through the IJLS grant; and/or
  - c. Mentored pro bono counsel.
  
4. Number of successful resolutions\* for individual DC clients is based on
  - a. Number of successful resolutions initiated under a prior IJLS grant;
  - b. Number of successful resolutions initiated prior to or separate from IJLS funding, but supported through IJLS;
  - c. Number of successful resolutions initiated under this IJLS grant; and
  - d. Time devoted by one or more lawyers to legal matters under IJLS grant.

\* Please keep in mind that successful resolutions include immigration applications that are granted, but also interim successes of a pending an immigration application. (See page 7).
  
5. Number of capacity building initiatives which can include:
  - a. Staff who file for or obtain Board of Immigration Appeals (BIA) accredited representative status;
  - b. Paralegal or legal staff hired or paid through IJLS funding;
  - c. Training or mentoring sessions for pro bono counsel, this includes individual and group training sessions;
  - d. Partnerships between community organizations and legal service providers, or among providers who cross-refer matters. These can either be new partnerships or ones involving ongoing training for an existing partner where staff are educated as to what to be on the alert for to make a referral to legal counsel; and/or
  - e. Partnerships between community organizations and legal service providers for organizing and conducting full legal campaigns to protect temporary protected status (TPS) holders in Washington, DC to the extent that capacity to conduct such campaigns is improved through the work funded by IJLS.
  
6. Language access services provided to other IJLS grantees should indicate:
  - a. Number of languages provided by your organization;
  - b. Number of live interpretations provided by your organization;
  - c. Documents translated by persons trained in providing interpretation of legal documents and on legal matters;
  - d. Capacity to meet colleague organizations' demand for projects funded by IJLS (full/partial – likely percentage), including through other funding sources; and/or
  - e. Funds expected/obtained through other sources to fill rest of demand.
  
7. Other key performance indicators related to immigrant justice important to the organization's program.

**Note: EOM reserves the right to work with applicants, once grantees have been selected, to devise additional or alternative KPIs that are mutually acceptable to EOM and the grantee organization. This may be necessary if funding awards are less than those sought.**

## **F. Additional Required Documents**

The following list of technical and supporting documentation are required to be included with the proposal submittal:

1. Audited financial statements and/or most recent 990 and/or cash-flow statements for 2021 and year-to-date
2. Program staff job description for those who will work on the grant
3. Relevant program staff resumes
4. Current IRS tax-exempt determination letter (for nonprofit organizations)
5. Organizational and program charts
6. Current list of board members with names, affiliation, and contact information (if applicable)
7. DC Clean Hands Certificate
8. Certificate of Good Standing
9. Copy of current organizational budget
10. Current Basic Business License (except for churches) for DC-based entities or incorporation documentation for non-DC based entities
11. Insurance Requirements: Please refer to section of RFA for specifics of the insurance requirements
12. Signed partnership certification (if applicable)
13. Collaborative partner materials (if relevant)
14. List of DC Government funding received in FY 2023 and expected in FY 2024. Include the name of the DC Government agency, the amount of funding and the program funded (if applicable). This includes not only IJLS funding, but any funding from any DC agency, direct or indirect (for example some agencies such as the Office of Victim Services and Justice Grants issue grants to an intermediary that in turn re-grants money to multiple non-profits.) We are interested in all such grants.
15. If you have been an IJLS grantee organization, provide a summary of the final reports from FY 2018, through FY 2022.
16. Program monitoring or evaluation tools your organization utilizes to track progress of your program, if applicable simply name the legal case management software tool and show a screenshot or sample of what fields are captured.
17. If the applicant has a Negotiated Indirect Cost Rate Agreement (NICRA), provide a copy or evidence of it.

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## **SECTION III– SCORING OF APPLICATIONS**

### **Scoring Criteria**

Applicant’s proposal submissions will be objectively reviewed against the following criteria:

#### **A. Results of Past and Ongoing IJLS Grants (10 Points)**

- Current, and prior grantees, subgrantees, and partners of grantees may be awarded up to ten additional points for exceptional performance; grantees or subgrantees of any project that has not made good use of funds provided in conformance with grant goals may be deducted up to ten points, and consideration of past performance may figure into evaluations of the proposal in sections B, C, and D.

#### **B. Soundness of the Proposal (20 points)**

- The applicant’s program will result in the accomplishment of the program goals, objectives and outcomes.
- The description of the program implementation, including the work plan, is realistic based on the proposed time requirements.

#### **C. Program Goals, Objectives and Services (20 points)**

- Program goals, supporting objectives and activities advance the goals established by the Immigrant Justice Legal Service Grant as embodied in the main key performance indicators.
- Other proposed outcomes are clearly defined, measurable, time specific, and important to the District’s immigrant population.
- Applicant demonstrates clearly the effectiveness of their services/activities in accomplishing the program goals and objectives.
- The impact of the applicant’s work through IJLS will be lasting.
- The applicant is building capacity to provide more legal services for immigrants in the future – by capacity building within its own organization; through formation of lasting partnerships; training of pro bono attorneys etc.
- Applicant has demonstrated a willingness to participate in District-sponsored or collaborative efforts to inform immigrants of their rights and programs of interest to them, and to address the legal needs of immigrants in our community.
- More points under this category will be offered to applicants that demonstrate a scope of work structure that has more focus in the provision of direct legal services of DC residents as opposed to a structure that is focused on Know Your Right’s presentations.

#### **D. Program Tracking and Evaluation (15 points)**

- Applicant demonstrates a clear process to keep track of its progress towards goals and evaluate its program.

#### **E. Organizational Capability and Relevant Experience (20 points)**

- Applicant demonstrates that its legal services for immigrants are easy to access.
- Applicant demonstrates its qualifications and past experiences to provide services applied for and in serving DC immigrant population.

- If Applicant's organization works with District of Columbia immigrants providing other services, identify how legal services fit into the applicant's more holistic or comprehensive plan for serving clients and customers.
- Information, outside IJLS, on prior program evaluations, findings, and changes made as a result should be referenced.
- Applicant demonstrates sufficient and appropriate staffing for proposed services. Staff roles and responsibilities are clearly defined. Resumes and/or position descriptions for key project staff should be included as an attachment.
- Applicant demonstrates an established organizational structure and its ability to administer the proposed program and, as proposed, function as Lead Agency through the submission of operational programmatic staff names and their key positions.

#### **F. Sound Fiscal Management and Budget (15 points)**

- Applicant demonstrates sound fiscal management (i.e., fiscal monitoring protocols and systems), disbursement of grant funds to partners (if relevant), and the submission of the Lead Agency's annual audits (2 years) and/or financial statements, and/or cash flow documents (2020 and year-to-date).
- Applicant's budget with budget justification is reasonable and realistic to achieve stated goals and objectives.
- Applicant's proposed budget conforms with the indirect cost rate restrictions outline under, the Nonprofit Fair Compensation Act of 2020, effective March 16, 2021, D.C. Law 23-185, D.C. Official Code § 2-222.02, which states:
  - If an organization has an unexpired Negotiated Indirect Cost Rate Agreement (NICRA) with the federal government that organization can be compensated, under the IJLS grant, for indirect costs incurred at the rate set in your NICRA;
  - If an organization does not have an unexpired NICRA with the federal government:
    - Indirect costs may be set to at least 10% of all direct costs under the IJLS grant; or
    - Prospective grantees may negotiate a new indirect cost rate with the awarding District agency; or
    - Indirect cost rate may be set to the same percentage indirect cost rate as the nonprofit organization negotiated with any District agency within the past 2 years; or
    - Indirect cost rate may be set to a calculated percentage rate and base amount, determined by a certified public accountant using the nonprofit organization's audited financial statements from the immediately preceding fiscal year, pursuant to the OMB Uniform Guidance, and certified in writing by the certified public accountant.

**Note: When final determinations about grant awards are made, some lower scoring applicants may receive grants over higher-scoring applicants, as applicant programs are taken as a whole and evaluated based on the need to reach diverse elements of the District's immigrant population and their varying legal needs. Consistent with the District's policies favoring open**

**and accountable government, winning proposals may be made public, redacted only for private information.**

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## **SECTION IV– APPLICATION CHECKLIST & REQUIRED DOCUMENTS**

Applicants are required to follow the content requirements and submission instructions that are described below. Please submit your proposal in the sequence that is listed here, including clearly titled sections and sub-sections.

**\*\*\*Applications will be considered incomplete if any sections or part of any section is missing.\*\*\***

### **Proposal Narrative:**

- Proposal Summary
- Program/Project Narrative
- Collaboration Description (if applicable)
- Program Goals and Objectives
- Organizational Capabilities
- Budget and Staffing Plan
- Performance Plan

**Please note that all attachments are included in this RFA. Please do not substitute forms. You are required to fill out, scan, and return all pages of the attachments.**

### **Required Documents (in order):**

- Audited financial statements and/or most recent 990 and/or cash-flow statements for the previous year and year-to-date
- Program staff job description for those who will work on the grant
- Relevant program staff resumes
- Current IRS tax-exempt determination letter (for nonprofit organizations)
- Organizational and program charts
- Current list of board members with names, affiliation, and contact information (if applicable)
- DC Clean Hands Certificate
- DC Certificate of Good Standing
- Copy of current organizational budget
- Current Basic Business License for DC-based entities (except for churches) or incorporation documentation for none DC based entities
- Insurance Requirements
- Signed Partnership Certification (if applicable)
- Collaborative partner materials (if relevant)
- List of DC Government funding received in FY 2022 and expected in FY 2023. Include the name of the DC Government agency, the amount of funding and the program funded (if applicable)
- If you have been an IJLS grantee organization, provide a summary of the final reports from FY 2018 through FY 2022.
- Program monitoring and evaluation tools (if applicable)
- Negotiated Indirect Cost Rate Agreement (NICRA) (if applicable)