

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The [U.S. Department of Justice, Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding under the Recovery Act Correctional Facilities on Tribal Lands Program.

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). As one of its many elements, the Recovery Act provides the U.S. Department of Justice (DOJ) with funding for grants to assist state, local, and tribal law enforcement (including support for hiring), to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime, and to support youth mentoring. DOJ is committed to working with our national, state, local and tribal partners to ensure this funding invests in the American workforce.

Specifically, under this solicitation, BJA will be making awards to assist tribes in cost effectively constructing and renovating correctional facilities on tribal lands associated with the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction.

Recovery Act: Correctional Facilities on Tribal Lands Program Competitive Grant Program

Eligibility

Applicants in Categories I-IV are limited to federally recognized Indian tribes, including Alaska Native villages and corporations, and authorized intertribal consortia. Applicants for Category V are limited to tribal and non-tribal for-profit (commercial) organizations, non-profit organizations, faith-based and community organizations, institutions of higher learning, and consortiums with demonstrated national level experience in working with tribal representatives to plan, renovate, and construct correctional facilities that serve local and regional needs.

(See "Eligibility," page 2)

Deadline

Registration with OJP's Grants Management System (GMS) is required prior to application submission.

Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants must register with the Central Contractor Registration (CCR) database.

(See "Deadline: Registration," page 1)

All applications are due by 8:00 p.m. Eastern Time on May 4, 2009.

(See "Deadline: Applications," page 2)

Important Note to Prospective Applicants

This solicitation is issued pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), which was signed into law by President Obama on February 17, 2009. As of the date this solicitation is issued, government-wide guidance is still forthcoming on various aspects of the Act.

Applicants are strongly advised to check the appropriate web site and www.ojp.usdoj.gov/recovery/solicitationrequirements.htm periodically (including before submitting an application) for updates to this solicitation and its associated requirements. Additional information may become available that could affect project proposal narratives, timelines, budget requests, certifications, and other matters related to applications.

Award recipients will be required to follow any applicable provisions of government-wide guidance that may be issued pursuant to the Recovery Act.

Contact Information

For assistance with the requirements of this solicitation, contact BJA toll-free at 1-866-859-2687, or contact the following BJA staff directly: Julius Dupree, 202-514-1928, julius.dupree@usdoj.gov; Eunice Pierre, 202-514-1473, eunice.pierre@usdoj.gov; or Andrew Molloy, 202-514-9909, andrew.molloy@usdoj.gov

This application must be submitted through OJP's Grants Management System (GMS). For technical assistance relating to the online application system, call the GMS Support Hotline at 1-888-549-9901, option 3. The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. Eastern Time. For step-by-step GMS guidance, please utilize OJP's online Grants Management System training tool: www.ojp.usdoj.gov/gmscbt/.

Release date: March 19, 2009

CONTENTS

Overview of the Correctional Facilities on Tribal Lands Program	1
Deadline: Registration	1
Deadline: Applications	2
Eligibility	2
Additional Requirements Related to the Recovery Act	
Faith-Based and Other Community Organizations	
American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations	
Correctional Facilities on Tribal Lands Program—Specific Information	5
Accountability and Transparency under the Recovery Act	12
Performance Measures	14
How to Apply	16
What an Application Must Include for Categories I-IV	17
Standard Form 424	
Abstract	
Program Narrative	
Budget and Budget Narrative	
Other Attachments	
Certifications	
Selection Criteria for Categories I-IV	18
What an Application Must Include for Category V	19
Standard Form 424	
Abstract	
Program Narrative	
Budget and Budget Narrative	
Other Attachments	
Certifications	
Selection Criteria for Category V	20
Review Process	21
Additional Requirements	22
Appendix: Templates for Required Certifications	24

Recovery Act: Correctional Facilities on Tribal Lands Program CFDA #16.811

Overview of the Correctional Facilities on Tribal Lands Program

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the “Recovery Act”) and by the Violent Crime Control and Law Enforcement Act of 1994, Title II, Subtitle A, Public Law 103-322, as amended, 42 U.S.C. 13709.

The stated purposes of the Recovery Act are: to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new web site—Recovery.gov—to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

The Recovery Act Correctional Facilities on Tribal Lands Program assists tribes in cost effectively constructing and renovating correctional facilities associated with the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction. In addition, this funding allows tribes to explore community-based alternatives to help control and prevent jail overcrowding due to alcohol and other substance abuse. The Bureau of Justice Assistance (BJA) administers the Correctional Facilities on Tribal Lands Program in coordination with the Bureau of Indian Affairs (BIA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

See the [Frequently Asked Questions \(FAQs\)](#) for further information on the solicitation and its requirements.

Note: Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG), who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

Deadline: Registration

Registering with OJP’s Grants Management System (GMS)

Applications must be submitted through OJP’s online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS)

number; (2) Registering your organization with the Central Contractor Registration (CCR) database; and (3) Registering with GMS prior to applying.

The deadline to register is **8:00 p.m. Eastern Time on May 4, 2009.**

A DUNS number is required. All applicants under this solicitation must include a DUNS (Data Universal Numbering System) number in their application. Applications without a DUNS number are incomplete.

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

Central Contractor Registration (CCR) is required. In addition to the DUNS number requirement, OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

Deadline: Applications

The due date for applying for funding under this announcement is **8:00 p.m. Eastern Time on May 4, 2009.**

Eligibility

Applicants for Categories I-IV (see pages 5-8) are limited to [federally recognized Indian tribes](#), including Alaska Native villages and corporations, and authorized intertribal consortia. For Category V (See pages 8-10), applicants are limited to tribal and non-tribal for-profit (commercial) organizations, non-profit organizations, faith-based and community organizations, institutions of higher learning, and consortiums with demonstrated national level experience in working with tribal representatives to plan, renovate, and construct correctional facilities that serve local and regional needs. "Indian tribe" is defined under the Indian Self Determination and Educational Assistance Act, 25 U.S.C. 450b(e). For-profit organizations must agree to waive any profit or fees for services.

See the [FAQs](#) for further information on the solicitation and its requirements.

Additional Requirements Related to the Recovery Act (including certification requirements):

Reporting on the Use of Funds. In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act, which requires detailed reporting (including reporting on subawards) not later

than **ten calendar days after the end of each calendar quarter**. Detailed information on section 1512(c) appears below, under “Accountability and Transparency under the Recovery Act.” A template for the certification is included in the appendix. Applicants may expect that a standard form and/or standard reporting mechanism will be made available at a future date.

Certification regarding Infrastructure Investments. Pursuant to section 1511 of the Recovery Act, a state or local government (including a federally-recognized Indian tribal government) may not receive funds for an infrastructure investment (for example, construction or major renovation of a correctional facility) unless the Governor, mayor, or other chief executive, as appropriate, certifies that the infrastructure investment has received the full vetting required by law and that the chief executive accepts responsibility that the infrastructure is an appropriate use of taxpayer dollars. The certification must include a description of the infrastructure investment, the estimated total cost, and the amount of Recovery Act funds to be used, and must be posted on a web site that is linked to Recovery.gov. (Refer to the OJP Recovery Act Additional Requirements web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm for the text of section 1511.)

Consistent with section 1511, **all** applicants under this solicitation must complete a “General Certification as to Requirements for Receipt of Funds for Infrastructure Investments,” a template for which is included in the appendix. Recipients that are awarded funds for one or more infrastructure investment projects must also submit and post a certification that satisfies section 1511 as to each such specific project prior to obligating, expending, or drawing down funds for such a project. Applicants or recipients that intend to prepare a section 1511 certification should consult the OJP Recovery Act Additional Requirements web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm. If a standard form becomes available, OJP will include a notice in the appropriate section of the web page.

National Environmental Policy Act (NEPA). The Recovery Act emphasizes the importance of compliance with NEPA. Grantees will be required to work with BJA to complete any appropriate environmental analyses of proposed projects prior to project implementation.

Faith-Based And Other Community Organizations (Category V only): Consistent with Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, faith-based and other community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and other community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., remove religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion.

If your organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, please see the section titled, “Funding to Faith-Based Organizations” on the “OJP Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm

Applicants are also encouraged to review the “Civil Rights Compliance” section on the “OJP Recovery Act Additional Requirements” webpage, which can be found at the web address shown above.

American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations: If a grant application is being submitted on behalf of a tribe or tribal organization, a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable government entity authorizing the inclusion of the tribe or tribal organization named in the application must be included with the application.

Correctional Facilities on Tribal Lands Program—Specific Information

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants also should anticipate that awards under the Recovery Act will be one-time awards and accordingly should propose project activities and deliverables that can be accomplished without additional DOJ funding.

There are five categories of awards under this grant program: Category I: Construction of Detention Facilities for Adult and Juvenile Offenders; Category II: Construction of Single-Tribe or Regional Multi-Purpose Justice Centers; Category III: Renovation of Existing Detention Facilities; and Category IV: Construction of Alternative Sentencing Facilities. Category V is for provision of Training and Technical Assistance for the Correctional Facilities on Tribal Lands Program and will be focused primarily on those tribes which receive funding through this solicitation; however, it can also be provided to non-grantee tribes if requested.

Because there are a number of jurisdictions in need of these funds, BJA requests that each jurisdiction limit the amount requested only to those funds that are vital to the applicant jurisdiction’s proposed project. BJA can thus ensure that funding is distributed to as many qualified jurisdictions as possible. **Applications that demonstrate job creation and sustainability will receive priority consideration.**

Award Categories

Applicants may submit an application under any one of the following categories (I–IV). Should an application span multiple categories or encompass elements from different categories, applicants must identify and submit their application under the one category that best describes the project. Applicants should not submit duplicate applications to multiple categories. **Applicants must clearly indicate in the abstract and on the first page of the program narrative which category they are applying under.** Applications should demonstrate inter-agency and inter-jurisdictional collaborative approaches to addressing the correctional facility needs of the tribe(s).

CATEGORY I: CONSTRUCTION OF DETENTION FACILITIES FOR ADULT AND JUVENILE OFFENDERS. Length of award: 24-60 months.

The Department recognizes the critical role of constructing correctional facilities that are appropriate for the intended population, supportive of cultural and traditional values, safe and secure when completed, and in compliance with relevant Bureau of Indian Affairs (BIA) correctional standards. Applicants may choose to apply for a single-tribe facility, regional tribal facility, or regional facility in partnership with non-tribal local and/or state government agencies. To be considered for a regional tribal detention facility two or more tribes must partner together, but only one tribe can submit the application and be designated the fiscal agent. To be considered for a regional detention facility in partnership with non-tribal government agencies, one or more tribes must partner with one or more non-tribal local and/or state government agencies, but only one tribe can submit the application and be designated the fiscal agent. Applicants proposing regional facilities should be aware that grant funds may only be used for the portion of the facility used for individuals subject to tribal jurisdiction. Applications that propose joint ventures or partnerships with other tribal, federal, state, and/or local agencies, or other entities to house other juvenile/adult populations, must also demonstrate how the facility planning and construction will address the cost of housing non-BIA/tribal populations.

If a tribe opts to house members of other tribes and/or non-tribal offenders through an agreement with other tribes, state government agencies, and/or local government agencies, it may do so, but not at a cost higher than it costs to house its own members. A tribe may not profit from housing other tribal members and/or non-tribal individuals.

CATEGORY II: CONSTRUCTION OF SINGLE-TRIBE OR REGIONAL MULTI-PURPOSE JUSTICE CENTERS. Length of award: 24-60 months.

The Department recognizes it is critical that construction of a single tribe or regional multi-purpose justice facility results in a facility that is appropriate for the intended population, supportive of cultural and traditional values, safe and secure when completed, and in compliance with relevant BIA correctional standards. To be considered for a regional tribal multi-purpose facility two or more tribes must partner together, but only one tribe can submit the application and be designated the fiscal agent. To be considered for a regional multi-purpose justice center in partnership with non-tribal government agencies, one or more tribes must partner with one or more non-tribal local and/or state government agencies, but only one tribe can submit the application and be designated the fiscal agent. The proposed multi-purpose facility should include space that could be used for the following community-based alternatives: detention beds, pretrial and/or probation services, substance abuse and mental health screening, assessment and treatment services, physical health services, and other services such as employment assistance, family reunification, and employment assistance. Applicants proposing regional facilities should be aware that grant funds may only be used for the portion of the facility used for individuals subject to tribal jurisdiction. Applications that propose joint ventures or partnerships with other federal, state, and/or local agencies, or other entities to house and provide services to other juvenile/adult populations, must also demonstrate how the facility construction will address the cost of housing non-BIA/tribal populations.

If a tribe opts to house members of other tribes and/or non-tribal offenders through an agreement with other tribes, state government agencies, and/or local government agencies, it may do so, but not at a cost higher than it costs to house its own members. A tribe may not profit from housing other tribal members and/or non-tribal individuals.

CATEGORY III: RENOVATION OF EXISTING DETENTION FACILITIES. Length of award: 18-48 months.

The Department recognizes it is critical that any renovation of a correctional facility result in a facility that is appropriate for the intended population, supportive of cultural and traditional values, safe and secure when completed, and in compliance with relevant BIA correctional standards. Applicants proposing renovation of regional facilities should be aware that grant funds may only be used for the portion of the facility used for individuals subject to tribal jurisdiction. Applications that propose joint ventures or partnerships with other federal, state, and/or local agencies, or other entities to house and provide services to other juvenile/adult populations, must also demonstrate how the facility renovation will address the cost of housing non-BIA/tribal populations.

If a tribe opts to house members of other tribes and/or non-tribal offenders through an agreement with other tribes, state government agencies, and/or local government agencies, it may do so, but not at a cost higher than it costs to house its own members. A tribe may not profit from housing other tribal members and/or non-tribal individuals.

CATEGORY IV: CONSTRUCTION OF ALTERNATIVE SENTENCING FACILITIES. Length of award: 24-60 months.

The Department recognizes it is critical that construction of an alternative sentencing facility result in a facility that is appropriate for the intended population, supportive of cultural and traditional values, safe and secure when completed, and in compliance with relevant BIA correctional standards. Alternative sentencing facilities are: transitional (residential) housing for offenders returning to the community from tribal, state, or local correctional facilities; half-way (residential) housing for offenders in violation of their terms of release (probation, parole, or other community based supervision); residential facilities for non-violent juveniles adjudicated guilty by a court; day reporting centers; and pretrial and probation offices. Applicants proposing regional facilities should be aware that grant funds may only be used for the portion of the facility used for individuals subject to tribal jurisdiction. Applications that propose joint ventures or partnerships with other federal, state, and/or local agencies, or other entities to house and provide services to other juvenile/adult populations, must also demonstrate how the facility construction will address the cost of housing non-BIA/tribal populations. If a tribe opts to house members of other tribes and/or non-tribal offenders through an agreement with other tribes, state government agencies, and/or local government agencies, it may do so, but not at a cost higher than it costs to house its own members. A tribe may not profit from housing other tribal members and/or non-tribal individuals.

Tribes will be permitted to renovate an existing facility to develop one of the aforementioned alternative sentencing facilities, and they may consider partnering with one or more tribes for both construction/renovation and use of the facility. Applicants should plan to include space for the following services for each of the facilities:

- Transitional housing: residential beds, substance abuse and mental health screening, assessment, and treatment, offender supervision, and other appropriate services such as family reunification, educational services, and employment assistance.
- Half-way housing: residential beds, substance abuse and mental health screening, assessment, and treatment, offender supervision, and other appropriate services such as family reunification, educational services, and employment assistance.

- Residential facilities for non-violent juveniles: residential beds, substance abuse and mental health screening, assessment, and treatment, offender supervision, and other appropriate services such as family reunification, educational services, domestic violence counseling and safety planning, and employment assistance.
- Day reporting centers: offender supervision, substance abuse and mental health screening, assessment, and treatment, educational services, employment assistance, domestic violence counseling and safety planning, and family reunification services. The day reporting center will be staffed and operational at least 5 days per week, offer all services each day, and offenders will report on a daily basis until assessed to report otherwise.
- Pretrial and probation office: will provide both pretrial and probation services and supervision such as case management, substance abuse and mental health screening, assessment, and treatment services, and other services deemed appropriate by the tribe.

Applicants are encouraged to provide the following for all facilities noted in Categories I–IV:

- Demonstrate how the tribe will be prepared to begin any construction and/or renovation project, including the completion of the relevant NEPA process, within 180 days of award.
- Demonstrate that an assessment of bed-space needs has been completed and that violent crime statistics of the tribe and any partners have been prepared for inclusion in the application.
- Provide documentation indicating that BIA has conducted an assessment of needs and supports the tribe’s submission. BIA should conduct an assessment of needs for bed space for the residential section for Category IV applications, but does not have to assess the needs nor provide documentation of support for the other alternative sentencing methods.
- Develop and complete a construction and/or renovation plan that explores correctional building options to ensure the construction and/or renovation of a cost-effective design.
- Work closely with BJA and OJP to ensure that any construction and/or renovation is initiated within 180 days of receiving the grant award, including the submission of a signed tribal resolution to BJA showing support that the construction and/or renovation project will be completed within the identified time frame.
- Identify the process to be undertaken for the needs assessment, pre-architectural programming, design, construction, and transition phases that will meet BIA acceptance for occupation and operation, consistent with the Planning on New Institution (PONI) BIA standards, if relevant. This is not required for Category IV.
- Demonstrate, as confirmed by a signed tribal resolution, how the tribe will manage population data tracking, collection, and reporting needs to support OJP’s reporting requirements, such as the Bureau of Justice Statistics’ (BJS) “Jails in Indian Country” report.
- If the plan is for a juvenile facility, consult with OJP’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) to demonstrate the grantee’s awareness of juvenile facility design standards for housing other non-BIA or tribal juvenile populations and in regard to best practices pertaining to the core requirements of the Juvenile Justice and Delinquency Prevention Act of 2002, specifically the deinstitutionalization of status offenders, the

separation of juveniles from adult offenders in facilities, and the removal of juveniles from adult jails and lockups.

- Show that the tribe, or BIA, has the capacity to operate and sustain facility operations once construction and/or renovation is completed for the extended life of the facility attained as a result of the construction and/or renovation. Applicants that propose to implement or enhance community-based alternatives such as probation, day reporting, treatment services, pretrial services, and court-administered programs must indicate how these alternatives will be staffed, funded, and sustained. Applicants that propose both institutional-based and non-institutional rehabilitation programming must provide a plan indicating how operational and personnel costs will be met and sustained.
- Encourage participation in the Interdepartmental Tribal Justice, Safety and Wellness sessions, and other workshops and plenary sessions at national, regional, and other training venues identified by OJP/BJA.
- Develop capacity to mentor other tribes (examining current policies and practices, and identifying strengths and gaps) interested in planning a facility for the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction.
- For regional or multi-jurisdictional facilities submit a detailed Strategic Community Justice Plan that: establishes/enhances (tribal/non-tribal) multi-agency cooperation and collaboration and documents memorandum of understandings between all affected agencies and governments.
- Provide its Strategic Community Justice Plan to the training and technical assistance provider so that it may be shared with other tribes to support their planning and construction and/or renovation efforts.
- Establish an executive-level team, which the tribe will sustain throughout the project period, to plan, implement, and monitor the proposed strategy.

***Note:** Applicants unable to provide a signed tribal resolution by the application deadline must contact BJA **prior to the application deadline**, to request an extension for submitting the tribal resolution **ONLY**; the application deadline is May 4, 2009.

CATEGORY V: TRAINING AND TECHNICAL ASSISTANCE FOR CORRECTIONAL FACILITIES ON TRIBAL LANDS PROGRAM. Length of award: 24 months.

NOTE: Applicants in this category are limited to tribal and non-tribal for-profit (commercial) organizations, non-profit organizations, faith-based and community organizations, institutions of higher learning, and consortiums with demonstrated national level experience in working with tribal representatives to plan, renovate, and construct correctional facilities that serve local and regional needs. Awards may be made to one or more organizations, institutions of higher learning, and/or consortia, depending on the type of training and technical assistance they will be providing to support both tribes receiving awards under Categories I-IV of this solicitation and, to the extent that there is excess training and technical assistance capacity, tribes who have not received awards, but are in need of assistance. Applications will be accepted to provide training and technical assistance relative to one or more of the categories.

To be considered for Category V, applicants must demonstrate that the proposed training and/or technical assistance will provide an immediate benefit to eligible tribes and must demonstrate a capacity to deliver training and technical assistance nationwide.

Under this category, applicants may submit only one application; they cannot submit an individual application and also be part of a consortium that has submitted a separate application. For applications submitted by a consortium, one organization must serve as the applicant agency and written authorization from each consortium member must be included with the submission.

The selected training and technical assistance providers should be able to document the capacity to:

- Develop and deliver planning curricula for tribal representatives to establish/enhance (tribal/non-tribal) multi-agency cooperation and collaborations.
- Conduct community-wide assessments to ensure that community-based resources/efforts are used effectively and that new and/or expanded facilities are developed only when warranted.
- Develop a comprehensive Strategic Community Justice Plan that encompasses the design, use, capacity, and cost of adult and/or juvenile justice sanctions and services.
- Explore a range of correctional building options including prototypical or quasi-prototypical concepts/designs for local correctional facilities, multi-service centers, support offices, and regional facilities.
- Apply community-based alternatives to help control and prevent jail overcrowding.
- Provide logistical support for up to two OJP/BJA events that focus on planning, renovating, and/or constructing correctional facilities on tribal lands. Logistical support includes agenda production, meeting facilitation, and providing travel and accommodation support for tribal participants not having access to federal grant resources. Every effort will be made to align training opportunities with the Interdepartmental Tribal Justice, Safety and Wellness sessions hosted by OJP.
- Develop and maintain a distance-learning technical assistance capacity to complement classroom training.
- Develop and disseminate written materials that support and complement the training sessions. No less than two new publications, determined in conjunction with BJA, must be produced and disseminated during the grant period.
- Support OJP's Tribal Justice and Safety web site by establishing and maintaining a section dedicated to assisting tribes to effectively plan, renovate, and/or construct facilities associated with the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction.
- Provide targeted technical assistance to BJA grantees to plan, renovate, and construct correctional facilities. Technical assistance formats should include telephone, written, and/or onsite assistance, as appropriate.

Priority Consideration for Training and Technical Assistance for Correctional Facilities on Tribal Lands Program Applicants

The Department recognizes the critical role of planning in constructing and/or renovating tribal correctional facilities that are appropriate for the intended population, supportive of cultural and traditional values, safe and secure when completed, and in compliance with relevant BIA correctional standards. Priority consideration will be given to applicants that demonstrate:

- Substantial experience working with tribes to plan, renovate, and construct facilities associated with the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction.

- Substantial experience in developing comprehensive strategic community justice plans that encompass community need, the design, use, capacity, and cost of adult and juvenile justice sanctions and services.
- An understanding of detention and correctional building options including prototypical or quasi-prototypical concepts/designs for tribal correctional facilities, multi-service centers, support offices, and regional facilities.
- A history of working effectively with tribal officials, tribal project managers, BIA, the National Institute of Corrections, and other federal agencies.
- Cultural competency working with Native American representatives and communities.
- An ability to develop curricula and modify training and technical assistance delivery to meet specific needs of tribal communities.
- Access to an established cadre of criminal justice professionals with substantial experience in Indian Country who can execute tasks associated with this program.
- An operational readiness within 90 days of the award.

Limitation on Use of Award Funds for Employee Compensation; Waiver: No portion of any award of more than \$250,000 made under this solicitation may be used to pay any portion of the total cash compensation (salary plus bonuses) of any employee of the award recipient whose total cash compensation exceeds 110 percent of the maximum annual salary payable to a member of the Federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. For FY 2009, the total cash compensation cannot exceed \$194,700 (\$177,000 [current maximum SES salary] plus [\$177,000 times 10 percent]). (The salary table for SES employees is available at www.opm.gov.)

This prohibition may be waived at the discretion of the Assistant Attorney General for the Office of Justice Programs. An applicant that wishes to request a waiver should include a detailed justification in the budget narrative for the application. The justification should include: the particular qualification and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project undertaken with the grant funds and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with her/his qualifications and expertise, and for the work that is to be done.

Match Requirement:

A grant made for Categories I-IV under this program may not cover more than 90 percent of the total costs of the project being funded. The applicant must identify the source of the 10 percent non-federal portion of the budget and how match funds will be used. Applicants may satisfy this match requirement with either cash or in-kind services. The formula for calculating match is:

Award amount = Adjusted Project Costs
Federal Share

Recipient's share x Adjusted Project Cost = required match

Example: For a federal award amount of \$500,000, match would be calculated as follows:

$\frac{\$500,000}{90\%} = \$555,555$ $10\% \times \$555,555 = \$55,555$ match

Non-Supplanting: Federal funds must be used to supplement existing state funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the OJP Financial Guide ([Part II, Chapter 3](#)). Additional information appears on the “OJP Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Buy American

All applicants that propose to use grant funds to construct, alter, maintain, or repair a public building or public work should be aware that the Recovery Act (in section 1605) contains a “Buy American” provision that applies to iron, steel, and manufactured goods, subject to certain exceptions. The provision is to be applied in a manner consistent with United States obligations under international agreements. Government-wide guidance on this provision is not yet available, but is expected. For the text of section 1605, please refer to the “OJP Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Wage Rate Requirements

All applicants should be aware that the Recovery Act contains a provision on wage rate requirements that concerns projects funded or assisted by Recovery Act funds that employ laborers and mechanics. See section 1606 of the Recovery Act, the text of which appears on the “OJP Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm. Government-wide guidance on this provision is not yet available, but is expected.

Recovery Act: Preference for Quick-Start Activities

Pursuant to section 1602 of the Recovery Act, recipient of funds under this solicitation for infrastructure investment are to give preference to activities that can be started and completed expeditiously, and also are expected to use grant funds in a manner that maximizes job creation and economic benefit. For the details of this requirement, please refer to the text of section 1602, which appears on the “OJP’s Recovery Act Additional Requirements” web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Contracts

Generally speaking, the Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures. As information becomes available, OJP will provide guidance to applicants as to what, if any, particular procurement requirements or procedures may apply to contracts awarded with Recovery Act grant funds, apart from those that appear in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

Recovery Act: Limit on Funds

The Recovery Act specifically provides that funds may not be used by any state or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

Recovery Act: Use of Funds in Conjunction with Funds from Other Sources.

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate, to meet the reporting and other requirements of the Recovery Act and other applicable law. There can be no commingling of funds. (See “Accountability and Transparency under the Recovery Act,” below.)

Accountability and Transparency under the Recovery Act

Separate Tracking and Reporting of Recovery Act Funds and Outcomes

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

Quarterly Financial and Programmatic Reporting

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon OJP's standard reporting requirements for grants. In particular, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

Under this Recovery Act program, quarterly financial and programmatic reporting will be required, and will be **due within 10 calendar days after the end of each calendar quarter**, starting July 10, 2009.

Programmatic and Financial Reporting Periods	Due Dates
October- December	January 10
January- March	April 10
April-June	July 10
July-September	October 10

The information from grantee reports will be posted on a public website. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

Recovery Act grant recipients may expect that the information posted by OJP will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OJP practice, grant recipients who do not submit required reports by the due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by OJP, including, but not limited to, restrictions on eligibility for future OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the Recovery Act award.

Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available. For planning purposes, however, all applicants should be aware that the Recovery Act section 1512(c) provides as follows:

Recipient Reports: Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains—

- (1) the total amount of recovery funds received from that agency;
- (2) the amount of recovery funds received that were expended or obligated to projects or activities; and
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including--
 - (A) the name of the project or activity;
 - (B) a description of the project or activity;
 - (C) an evaluation of the completion status of the project or activity;
 - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - (E) for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.
- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

Subawards under Recovery Act Grants

Reporting: DUNS and CCR. As indicated above, quarterly reporting requirements for Recovery Act awards include reporting with respect to subawards. In order to facilitate that reporting, award recipients must work with their first-tier subawardees (if any) to ensure that, no later than the due date of the award recipient's first quarterly report after a subaward is made, the subawardee has a DUNS numbers and is registered with the Central Contractor Registration (CCR) database. See "Deadline: Registration," above, for more information on CCR and DUNS numbers.

Monitoring of subawards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring of subawards under the grant in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide. Primary recipients will be responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

Reporting Fraud, Waste, Error, and Abuse

Each grantee or subgrantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by—

Mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

E-mail: oig.hotline@usdoj.gov

Hotline: (contact information in English and Spanish): 800-869-4499

Hotline fax: 202-616-9881

Additional information is available from the DOJ OIG web site at www.usdoj.gov/oig/.

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.

Performance Measures

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. In addition, applicants must discuss their data collection methods in the application. Applicants must address all the Recovery Act performance measures. Also, applicants must address all the performance measures that are applicable to the category of funding for which they are applying. Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data the grantee provides for 3-month reporting period	Description (Plain language explanation of what exactly is being provided)
Categories I-V Recovery Act: Preserving jobs	Number of jobs retained (by type) due to Recovery Act funding.	<p>How many jobs were prevented from being eliminated with the Recovery Act funding during this reporting period?</p> <p>How many jobs that were eliminated within the last 12 months were reinstated with Recovery Act funding?</p>	<p>An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.</p> <p>An unduplicated number of jobs that were eliminated 12 months prior to receiving Recovery Act funding. Report this data for each position only once during the grant. A job can include full time, part time, contractual or other employment relationship.</p>
Categories I-V Recovery Act: Creating jobs	Number of jobs created (by type) due to Recovery Act funding.	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
Categories I-V Recovery Act: Promoting economic recovery	<p>Percent increase of essential services maintained without disruption.</p> <p>Percent increase of essential services</p>	<p>How many essential services were prevented from elimination due to Recovery Act funding?</p> <p>How many essential services does your agency provide?</p> <p>How many new essential services are you providing as a result of grant funding?</p> <p>How many essential services did your agency provide before grant funding?</p>	How many unduplicated essential services were not eliminated due only to Recovery Act funding? Essential services are defined as renovation, construction, planning, and detaining activities. Each of these activities counts as one service.
Categories I-V Recovery Act: Promoting economic recovery	Number of collaborative partnerships established to avoid reductions in essential services and duplication.	How many partnerships were formed this quarter that avoided reductions in services or duplication of efforts?	Partnerships are defined as collaborations with other tribes, units of state and local government, or private, public, or nonprofit service providers. In order to count a partnership, it must be formalized with a memorandum of understanding, a tribal resolution, or a contract.

Objective	Performance Measures	Data Grantee Provides
<p>Categories I-IV: Renovation/Construction Projects To assist tribal jurisdictions to efficiently renovate or construct correctional facilities associated with the incarceration and rehabilitation of juvenile and/or adult offenders.</p>	<p>Percent of renovation or construction projects completed on time.</p>	<p>Number of renovation or construction projects initiated (i.e., 0, 1, 2, etc.) during the reporting period.</p> <p>Number of renovation or construction projects ongoing (i.e., 0, 1, 2, etc.) during the reporting period.</p> <p>Number of renovation or construction projects completed (i.e., 0, 1, 2, etc.) on schedule during the reporting period.</p> <p>Number of renovation or construction projects completed (i.e., 0, 1, 2, etc.) completed during the reporting period.</p>
<p>Category V: Training and Technical Assistance To enhance tribal strategies to cost effectively plan, renovate, and/or construct correctional facilities associated with the incarceration and rehabilitation of juvenile and adult offenders.</p>	<p>Percent of post-training evaluations demonstrating self-reported improvement in planning correctional facilities.</p> <p>Percentage of technical assistance recipients who rated the technical assistance as satisfactory or better.</p> <p>The number of tribes receiving training or technical assistance.</p>	<p>During the reporting period, the number of individuals trained.</p> <p>During the reporting period, the number of individuals completing both pre- and post-training course evaluations that demonstrate self-reported improved understanding and planning abilities.</p> <p>During the reporting period, the number of individuals completing both pre- and post-training course evaluations that did NOT demonstrate self-reported improved understanding and planning abilities.</p> <p>Number of individuals receiving technical assistance.</p> <p>Number of individuals receiving technical assistance.</p> <p>Number of technical assistance recipients who completed an evaluation and rated the technical assistance as satisfactory or better.</p> <p>During the reporting period, the number of tribes receiving technical assistance.</p> <p>During the reporting period, the number of tribes trained.</p> <p>Number of technical assistance events.</p> <p>Number of training/briefing sessions conducted.</p> <p>Number of individuals trained.</p>

How to Apply

Grants Management System Instructions. Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to

<https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled “External Overview: Locating & Applying for Funding Opportunities.” For additional assistance, call the GMS Support Hotline at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time.

Funding Opportunities with Multiple Categories: Some OJP solicitations posted on GMS contain categories, denoted by the individual solicitation title referencing the category area. If you are applying to a solicitation with multiple categories, you must select the appropriate solicitation title for the intended category of your application. The application will be peer reviewed according to the requirements of the category under which it is submitted.

Note: OJP’s Grants Management System (GMS) does not support Microsoft Vista or Microsoft 2007. OJP will not review any application with attachments in Microsoft Vista or Microsoft 2007 format. Applications submitted via GMS must be in the following formats: Microsoft Word (*.doc), Word Perfect (*.wpd), Microsoft Excel (*.xls), PDF files (*.pdf), or Text Documents (*.txt). GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension “.docx.” Please ensure that any Word documents you are submitting are saved using “Word 97-2003 Document (*.doc)” format. Additionally, GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

Recovery Act CFDA Number: The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.811, titled “Recovery Act: Correctional Facilities on Tribal Lands Program.”

What an Application Must Include for Categories I-IV

Standard Form 424

Program Abstract (Attachment 1)

Applicants must provide an abstract identifying the applicant’s name, title of the project, dollar amount requested, and category for which the applicant is applying (e.g. Category I: Construction of Detention Facilities). The abstract must clearly demonstrate the applicant’s eligibility to apply for Categories I-IV (see page 2); i.e., that it is a federally recognized tribe’s government. The abstract must include the goals of the project, a description of the strategies to be used, a numerical listing of key/major deliverables, and coordination plans. Applicants should use a standard 12-point font (Times New Roman is preferred) with 1-inch margins. The abstract must not exceed 1 page. Submissions that do not adhere to the format will be deemed ineligible.

Program Narrative (Attachment 2)

The program narrative must clearly state the category for which the applicant is applying. It must also respond to the solicitation and the Selection Criteria (1-3, 5) in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman preferred), with 1-inch margins, and must not exceed 15 pages. Please number the pages “1 of 15”, “2 of 15”, etc. Submissions that do not adhere to the format will be deemed ineligible.

Budget and Budget Narrative (Attachment 3)

Applicants must provide a budget that is allowable and reasonable (Selection Criteria 4). Allowable costs include, but are not limited to, personnel, overtime, equipment, and fuel. Applicants must submit a budget detail worksheet and budget narrative. A budget detail worksheet form is available on OJP's web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. When using this form, you must also include a budget narrative, in MS Word or PDF format, as a separate attachment. Both the budget detail worksheet and narrative explanation of costs can be provided in a single document using this acceptable MS Word Budget template, available at www.ojp.usdoj.gov/BJA/funding/Budget_Worksheet_Narrative_Template.doc. Applicants may submit the budget and budget narrative in a different format (i.e., Excel spreadsheet), but it must contain all categories listed within the budget detail worksheet. Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one within their region.

Project Timeline, Resumes, and Memorandum of Understanding (Attachment 4)

Attach a project timeline with each task, expected completion date, and responsible person or organization; resumes for key positions; and Memorandum of Understanding (if applicable).

Certifications (Attachment 5)

Applicants must attach certifications required by this solicitation, as outlined on pages 2-3. Copies of the certifications are in the Appendix.

Selection Criteria for Categories I-IV.

1. Statement of the Problem/Program Narrative (20 percent of 100)

Demonstrate a thorough understanding of the corrections issues confronting the tribe's community and the renovation and/or construction elements the jurisdiction will address to meet individual needs. Include incident data and information about the number and types of offenses (e.g., youth, adult, family, traffic) addressed by the tribal criminal and juvenile justice system, the violent crime statistics of the tribe, an assessment of the bed space needs of the tribe, the cost to incarcerate individuals, and a detailed description of the correctional facility (age, type (local/regional, tribal/BIA-administered)) currently used by the tribe. Discuss how the renovation/construction and the implementation/enhancement of community-based corrections options such as probation, day reporting, treatment services, pretrial services, and court-administered programs will help control and prevent jail overcrowding. Describe how activities can be started and completed expeditiously and in a manner that maximizes job creation and economic benefits.

2. Project/Program Design and Implementation (25 percent of 100)

Describe project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act and the likelihood of achieving such outcomes, such as job creation and preservation. Applications that demonstrate job creation and sustainability will receive priority consideration. Include a project timeline that identifies when the goals and objectives will be completed (Attachment 4). Describe the executive-level planning team, including names, titles, and agencies. Identify the project director and planning team members, including tribal leaders, community members, and providers. Providers must represent law enforcement, courts, corrections/ probation, medical/treatment, and educational/vocational services. Identify any other partners, such as faith-based and community organizations. Indicate the tribe's commitment to sustaining the

team's membership over the grant project period, detailing the nature of the work, frequency of meetings, and how achievements will be documented. Applicants applying for funds to complete the construction of a partially completed or constructed facility must demonstrate why federal funds are needed to complete construction. Provide any memorandums of understanding and/or contracts entered into with other tribes, state government agencies, and/or local government agencies for which the applying tribe will enter into a partnership for use of the facility or facilities planned for in the application (Attachment 4).

3. Capabilities/Competencies (30 percent of 100)

Describe the tribe's proposed management structure for the project and project staffing. Demonstrate the tribe's capability and capacity to plan or efficiently and effectively oversee the renovation and/or construction of a correctional facility. Describe how the partners will collaborate with the applicant to implement the program successfully. Discuss the tribe's capability to secure tribal and other public and private funds to complement the project and sustain operations after construction is completed, including staffing, furniture, fixtures, equipment, and maintenance. Describe how the tribe will meet the reporting requirements of the American Recovery and Reinvestment Act. Describe how the organization will track all drawdowns and grant expenditures separately from other federal funding.

4. Budget (10 percent of 100)

Provide a budget and budget narrative that is complete, allowable, and cost effective (Attachment 3). Applicants are strongly encouraged to avoid unsubstantiated equipment and supply purchases. Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one in their region.

5. Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures/ Sustainment (15 percent of 100)

Describe the process for measuring project performance, including meeting timelines and deliverables. Detail who is responsible for collecting corrections data, who is responsible for performance measurement, and how the information will be used to guide the project process. Outline the steps the team will take to collect and examine baseline corrections data to ensure fiscal and programmatic resources will be used effectively. Outline a strategy for sustaining the project when the federal grant ends.

What an Application Must Include for Category V

Standard Form 424

Program Abstract (Attachment 1)

Applicants must provide an abstract that identifies the goals of the project, a description of the strategies to be used, a numerical listing of key/major deliverables, and coordination plans. Applicants must clearly demonstrate their eligibility to apply (see page 2) by demonstrating the nationwide delivery of training and technical assistance and must include a plan for providing that training to eligible tribes. Applicants should use a standard 12-point font (Times New Roman is preferred) with 1-inch margins. The abstract must not exceed 1 page. Submissions that do not adhere to the format will be deemed ineligible.

Program Narrative (Attachment 2)

Applicants must submit a program narrative that describes the proposed activities for the grant period and responds to the below Selection Criteria (1-3, 5) in the order given. The narrative should be double-spaced, using a standard 12-point font (Times New Roman preferred) with 1-inch margins, and must not exceed 15 pages. Please number pages "1 of 15," "2 of 15," etc. Submissions that do not adhere to the format will be deemed ineligible.

Budget and Budget Narrative (Attachment 3)

Applicants must provide a budget that is allowable and reasonable (Selection Criteria 4). Allowable costs include, but are not limited to, personnel, overtime, equipment, and fuel. Applicants must submit a budget detail worksheet and budget narrative. A budget detail worksheet form is available on OJP's web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. When using this form, you must also include a budget narrative, in MS Word or PDF format, as a separate attachment. Both the budget detail worksheet and narrative explanation of costs can be provided in a single document using this acceptable MS Word Budget template, available at www.ojp.usdoj.gov/BJA/funding/Budget_Worskheet_Narrative_Template.doc. Applicants may submit the budget and budget narrative in a different format (i.e., Excel spreadsheet), but it must contain all categories listed within the budget detail worksheet. Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one within their region.

Project Timeline, Resumes, and Letters of Support (Attachment 4)

Attach a project timeline with each task, expected completion date, and responsible person or organization; resumes for key positions; and letters of support that outline the partners' responsibilities (if applicable).

Certifications (Attachment 5)

Applicants must attach certifications required by this solicitation, as outlined on pages 2-3. Copies of the certifications are in the Appendix.

Selection Criteria for Category V

1. Statement of the Problem (15 percent of 100)

Demonstrate a thorough understanding of the issues confronting corrections on tribal lands and the planning elements tribal jurisdictions should address to meet their individual needs, including communitywide assessments, a facility development process, planning team development/decision-making, mission statement development, incorporation of additional space for programs and services, new facility staffing and training, direct supervision, site evaluation, and development of policies, guidelines, and procedures. Describe how activities can be started and completed expeditiously and in a manner that maximizes job creation and economic benefits.

2. Program Design and Implementation (20 percent of 100)

Describe the structure and implementation of delivering all the training and technical assistance activities requested (see page 8). Applications that demonstrate job creation and sustainability will receive priority consideration. Describe project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act and the likelihood of achieving such outcomes, such as job creation and preservation. Include a

project timeline that identifies when the goals and objectives will be completed (Attachment 4).

3. Capabilities/Competencies (35 percent of 100)

Describe the management structure, project staffing, and in-house or contracted capacity to complete each of the potential tasks or projects outlined. Address the Priority Considerations (see page 4). Provide information that illustrates the ability to manage complex activities (both type and expertise) effectively. Outline the organization's ability to conduct the individual activities and the organization's and staff's experience in delivering training and technical assistance to tribal representatives to plan and construct correctional facilities that serve local and regional needs, as well as provide assistance to tribes in the process of renovating existing facilities to be compliant with federally mandated "sight and sound separation" requirements and constructing new facilities. Describe how the organization will track all drawdowns and grant expenditures separately from other federal funding.

4. Budget (15 percent of 100)

Provide a budget and budget narrative that are complete, allowable, and cost effective (Attachment 3). Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meeting. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one in their region.

5. Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures (15 percent of 100)

Describe the process for measuring project performance, including meeting timelines and deliverables. Detail who is responsible for collecting corrections data, who is responsible for performance measurement, and how the information will be used to guide the project process.

Review Process

OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Assistance (BJA) reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Peer reviewers will be reviewing the applications submitted under this solicitation as well. BJA may use either internal peer reviewers, external peer reviewers or a combination of both to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is an expert in the field of the subject matter of a given solicitation who is a current U.S. Department of Justice employee. Applications will be screened initially to determine whether the applicant meets all eligibility requirements. Only applications submitted by eligible applicants that meet all other requirements (such as timeliness, proper format, required attachments, and responsiveness to the scope of the solicitation) will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

After the peer review is finalized, the Office of the Chief Financial Officer (OCFO), in consultation with BJA, conducts a financial review of all potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations. OCFO also reviews the award document and verifies the OJP vendor number.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG) who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Successful applicants selected for awards under this Recovery Act solicitation must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection
- Anti-Lobbying Act
- Financial and Government Audit Requirements, includes Single Audit Act Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-Supplanting of State and Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs [Financial Guide](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)

- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Recovery Act Reporting Requirements; Section 1512(c) of the Recovery Act
- Section 1511 of the Recovery Act: Certifications
- Section 1602 of the Recovery Act: Preference for Quick-Start Activities
- Section 1604 of the Recovery Act: Limit on Funds
- Section 1605 of the Recovery Act: Buy American
- Section 1606 of the Recovery Act: Wage Rate Requirements
- Section 1607 of the Recovery Act: Additional Funding Distribution and Assurance of Appropriate Use of Funds
- Section 1609 of the Recovery Act: Relating to National Environmental Policy Act

Appendix. Templates for Required Certifications

Instructions: Scan signed certifications and submit image files electronically as part of your application package.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Correctional Facilities on Tribal Lands Program

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Entity

Date

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Correctional Facilities on Tribal Lands Program

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs (“OJP”), U.S. Department of Justice:

I have personally read and reviewed the section entitled “Eligibility” in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

Initial the statement that applies:

_____ The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

_____ The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Government Entity

Date