### Information Regarding a Change to the Innovative Prosecution Solutions for Combating Violent Crime and Illegal Opioids FY 2018 Competitive Grant Announcement

March 20, 2018

All five references to, and hyperlinks from, "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards"

(<a href="https://ojp.gov/funding/Explore/SolicitationRequirements/index.htm">https://ojp.gov/funding/Explore/SolicitationRequirements/index.htm</a>) have been updated to "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards" (<a href="https://ojp.gov/funding/Explore/LegalOverview/index.htm">https://ojp.gov/funding/Explore/LegalOverview/index.htm</a>).

On page 36, the allowable limit has been changed from \$350,000 to \$360,000.

On page 37, a note has been added to explain that the \* indicates "basic minimum requirements."

Thank you for your attention to these changes.

OMB No. 1121-0329 Approval Expires 11/30/2020

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



The <u>U.S. Department of Justice</u> (DOJ), <u>Office of Justice Programs</u> (OJP) <u>Bureau of Justice Assistance</u> (BJA) is seeking applications for the Innovative Prosecution Solutions Program. This program furthers the Department's mission by assisting state and local jurisdictions in addressing violent crime. Innovative Prosecution Solutions is part of the Project Safe Neighborhoods Suite of programs, which is focused on reducing violent crime.

# Innovative Prosecution Solutions for Combating Violent Crime and Illegal Opioids FY 2018 Competitive Grant Announcement

Applications Due: April 24, 2018

### **Eligibility**

Eligible applicants are limited to state and local prosecutorial agencies, federally recognized Indian tribal governments that perform prosecution functions (as determined by the Secretary of the Interior), or tribal consortia consisting of two or more federally recognized Indian tribes (including tribal consortia operated as nonprofit organizations) acting as a fiscal agent for one or more prosecutor agencies.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed subrecipients ("subgrantees"). The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient ("subgrantee") in more than one application.

BJA may elect to fund applications submitted under this FY 2018 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

<sup>&</sup>lt;sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under <u>Section D.</u> Application and Submission Information.

### **Deadline**

Applicants must register with Grants.gov at <a href="https://www.grants.gov/web/grants/register.html">https://www.grants.gov/web/grants/register.html</a> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on April 24, 2018.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this Important Notice: Applying for Grants in Grants.gov.

For additional information, see <u>How To Apply</u> in Section D. Application and Submission Information.

### **Contact Information**

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800–518–4726, 606–545–5035, at <a href="https://www.grants.gov/web/grants/support.html">https://www.grants.gov/web/grants/support.html</a>, or at <a href="mailto:support@grants.gov">support@grants.gov</a>. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the contact identified below within 24 hours after the application deadline to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the How To Apply section.

For assistance with any unforeseen Grants.gov technical issues beyond an applicant's control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800–851–3420; via TTY at 301–240–6310 (hearing impaired only); email <a href="mailto:grants@ncjrs.gov">grants@ncjrs.gov</a>; fax to 301–240–5830; or web chat at <a href="https://webcontact.ncjrs.gov/ncjchat/chat.jsp">https://webcontact.ncjrs.gov/ncjchat/chat.jsp</a>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close, April 24, 2018.

Grants.gov number assigned to this announcement: BJA-2018-13602

Release date: March 8, 2018

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## Innovative Prosecution Solutions (CFDA #16.825)

### A. Program Description

#### Overview

The purpose of this program is to provide state, local, and tribal prosecutors with information, resources, and training and technical assistance (TTA) to develop effective strategies and programs to address violent crime and prosecute individuals responsible for homicides caused by illegal opioids. Prosecutors are leaders within the criminal justice system who possess an enormous responsibility within the criminal justice system. Accordingly, they are well positioned to bring the police, the community, and local agencies together to combat violent crime in their jurisdictions.

The Innovative Prosecution Solutions Program encourages prosecutors to use data in the development of their violent crime strategies and programs. As such, it builds upon analysis-driven, promising practices and evidence-based prosecution by encouraging state, local, and tribal prosecutorial agencies to develop effective, economical, and innovative responses to crime within their jurisdictions.

This solicitation also encourages prosecutors to focus on how they can address the opioid crisis in our country. According to public health reports from the field, the U.S. had more than 64,000 overdose deaths in 2016. Based on a review conducted under the Smart Prosecution Technical Assistance and Training grant, twenty states have enacted statutes for drug-induced homicides. These statutes vary on the severity of charges that prosecutors are able to bring, which range from manslaughter to first degree murder; sentences also range from the court's discretion to life imprisonment. Prosecutors should look at their role in the enforcement of these statutes and develop strategies that focus on:

- Swiftly and thoroughly investigating overdose scenes as homicide scenes.
- Using social networking and innovative investigative practices to develop leads.
- Concentrating on victimology in court presentations to nullify a victim's assumption of risk.
- Using expert witnesses to explain the science.
- Understanding the appropriate way to charge individuals for these crimes.

Recipients of funding under this grant will test promising crime prevention, response, and reduction practices; implement evidence-based interventions; improve the effectiveness and efficiency of prosecutors' processes and procedures; and establish sustainable partnerships with researchers to evaluate their effectiveness.

Innovative Prosecution Solutions is part of the Project Safe Neighborhoods (PSN) Suite of programs, which is focused on reducing violent crime. The PSN Suite comprises PSN, Strategies for Policing Innovation, Innovative Prosecution Solutions, Crime Gun Intelligence Centers, National Public Safety Partnerships, Technology Innovation for Public Safety, Encouraging Innovation: Field Initiated Program, Innovations in Community-Based Crime

Reduction, and Community-Based Violence Prevention Demonstration, and these initiatives will coordinate proactively with the PSN team in the respective district of the United States Attorney Office (USAO) to enhance collaboration and strengthen the commitment to reducing violent crime. Applicants must demonstrate this coordination with their USAO district PSN team in their submission.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

### **Statutory Authority**

Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2018. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution;" no full-year appropriation for the Department has been enacted for FY 2018.

### **Program-Specific Information**

The Innovative Prosecution Solutions Program seeks to encourage exploration of new solutions to public safety concerns, as well as address internal operations and organizational structure of prosecutor's offices. The program is intended to support prosecutors as leaders among their criminal justice partners and develop criminal justice strategies focused on reducing violent crime.

**BJA** will give priority consideration to efforts focusing on addressing violent crime and/or opioids. Below are some creative solutions implemented by prosecutors around the country that centered on issue areas that assist with the prioritization of cases as well as:

- Developing ways to identify the most violent repeat offenders.
- Developing mechanisms to prosecute individuals who are responsible for opioid related deaths or the sale of drugs leading to overdoses.
- Using data to develop zone/geographic prosecution.
- Using crime analysis tools, through strategies like GunStat, to track gun violence.
- Developing policies to prosecute witness intimidation cases.
- Working jointly with parole and probation departments on violations of probation.
- Enhancing the prosecutor's role in investigations of homicide cases and cybercrime strategies to improve public safety.

In this solicitation, BJA is also encouraging prosecutors to look at their role in addressing illegal opioid distribution. They should work closely with their federal partners at the U.S. Attorney's Offices to develop protocols and procedures for reviewing cases that could be federally prosecuted, especially as they pertain to opioids.

BJA believes that several core elements must be in place to support a successful Innovative Prosecution Solutions Program. These include strong executive support for the project within the prosecutor's office; sophisticated problem and data analysis efforts; and a commitment to making organizational and operational changes to sustain the strategies found to be successful, as measured by the project's evaluation. Under the Innovative Prosecution Solutions Program, prosecutors are also strongly encouraged to partner with a researcher, and to establish innovative and effective working relationships with citizens and community leaders to gain support for the prosecutors' proposed initiatives. Agencies are also expected to leverage data

from other criminal justice entities—such as parole, probation, corrections, the judiciary, and law enforcement agencies—to aid in their activities.

As prosecutors implement innovative best practices or evidence-based approaches to address the objectives listed below, there is a need to evaluate their efforts. A research partner can play a critical role in the project's data collection and analysis, problem assessment, strategy development, and evaluation processes.

If using a research partner, the researcher(s) should be identified by name and institutional affiliation in the application and can be an independent consultant or located in an academic institution, a state Statistical Analysis Center, or a research organization. The research partner should have demonstrated expertise conducting the type of work proposed.

For more information on specific strategies for possible Innovative Prosecution Solutions and project ideas on individual site activities, visit the <u>National Public Safety Partnership Clearance House</u>. You can also review prior prosecution projects at <u>www.smartprosecution.org</u>. These websites provide information and resources to prosecution agencies from across the nation.

For additional information about identifying and working with a research partner, please visit: www.psnmsu.com/documents/ResearchPartnerQ&A.pdf.

### **Objectives and Deliverables**

The purpose of the Innovative Prosecution Solutions Program is to develop a body of knowledge about data-driven strategies—innovative, best practice, or evidenced-based—as they are implemented by prosecutors. BJA is seeking applications from state, local, or tribal prosecutor agencies interested in testing data-driven approaches that address one or more of the objectives listed below. Innovative Prosecution Solutions applicants will identify a problem to be addressed and may enlist a research partner to help evaluate the effectiveness of their Innovative Prosecution Solutions.

To help achieve important outcomes, successful applicants for the Innovative Prosecution Solutions program will work closely with BJA and BJA's Training and Technical Assistance (TTA) provider, to assist agencies with incorporating innovative or evidence-based prosecution strategies as a fundamental element in ensuring public safety. The TTA provider will organize activities such as facilitating peer-to-peer exchanges of information, identify subject expertise that is relevant to specific Innovative Prosecution Solutions sites for assistance, and producing reports on the lessons learned from the Innovative Prosecution Solutions community.

The implemented strategies that address violent crime and illegal opioids will be given priority, and applicants should also address one or more of the following objectives:

- Promote fair, impartial, and expeditious pursuit of justice.
- Test, establish, and/or expand innovative new ideas and evidence-based programming in the office to increase prosecutors' ability to effectively and sustainably prevent and respond to crime, especially violent crime.
- Establish sustainable research partnerships that are integrated into the strategic and tactical operations of agencies.
- Foster effective and consistent collaborations with external agencies, and with the communities in which they serve, to increase public safety.

- Use technology, intelligence, and data in innovative ways that enable the office to focus resources on the people and places associated with high concentrations of criminal behavior and crime.
- Advance the state of the prosecution practice for the benefit of the entire field through dissemination of promising practices and evaluation findings.

### The required deliverables are:

- Written policies or procedures that demonstrate operational changes as they relate to the project.
- Periodic reports, presentations, and briefings for the implementation team that complement the collected performance data and show continued deployment of the problem-solving process.
- A final analysis report of the project's implementation and outcomes, submitted to BJA at the conclusion of the project.

### Applicants will also:

- Describe the innovative, data-driven approach to be implemented.
- Identify a specific prosecution problem to address.
- Develop a prevention/mitigation/response strategy to address the problem.
- Evaluate the initiative.
- Assess and report the results in a written document to BJA, which will make the results publicly available.

The evaluation design must include outcome measures capable of informing a credible assessment of the effectiveness of the strategies.

The proposed projects should present strategies that hold promise for replication and testing by other jurisdictions.

The Objectives and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in <u>Section D. Application and Submission Information</u>, under Program Narrative.

### **Evidence-based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a

change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <a href="https://www.crimesolutions.gov">https://www.crimesolutions.gov</a> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

### Information Regarding Potential Evaluation of Programs and Activities

The Department of Justice has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that the Office of Justice Programs may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

### **B. Federal Award Information**

BJA estimates that it will make up to six awards of up to \$360,000 each for an estimated total of \$2,200,000 for a 24-month period of performance, to begin on October 1, 2018.

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation, through continuation awards. In making decisions regarding continuation awards, OJP will consider, among other factors, the availability of appropriations, when the program or project was last competed, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

### **Award Special Condition**

Once awarded, each grant award will have in place a special condition withholding all but \$100,000, which will allow grantees to establish an action plan within 180 days of the date of the initial funding release.

The action plan must:

- Describe the problem and the data that led to its identification.
- Include a research plan that identifies the solution(s) to be tested and projects result(s).
- Include an impact evaluation plan.

- Demonstrate executive support and commitment of agency resources to the project.
- Include letters of commitment from external agencies or organizations that are expected to participate in the project.

The remaining funds will be released to each grantee only after BJA approves an acceptable action plan. BJA's Innovative Prosecution Solutions TTA provider will assist sites in producing their action plans and submitting them for BJA review.

### Type of Award

BJA expects to make any award under this solicitation in the form of a grant. See <u>Administrative</u>, <u>National Policy</u>, <u>and Other Legal Requirements</u>, under <u>Section F. Federal Award Administration Information</u>, for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>2</sup>) must, as described in the Part 200 Uniform Requirements<sup>3</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

<sup>&</sup>lt;sup>2</sup> For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under <a href="What an Application Should Include">What an Application Should Include</a>, Section 4c of this solicitation.

<sup>&</sup>lt;sup>3</sup> The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available at <a href="https://ojpfgm.webfirst.com/">https://ojpfgm.webfirst.com/</a> (this training is required for all OJP award recipients).

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information) which is used to make award decisions. Under <u>Section D. Application and Submission Information</u>, applicants may access and review a questionnaire—the <u>OJP Financial Management and System of Internal Controls Questionnaire</u>—that OJP requires <u>all</u> applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

### **Budget Information**

### **Cost Sharing or Matching Requirement**

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

### **Pre-agreement Costs (also known as Pre-award Costs)**

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <a href="https://ojp.gov/financialguide/DOJ/index.htm">https://ojp.gov/financialguide/DOJ/index.htm</a> for more information.

### Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that 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. The 2018 salary table for SES employees is available on the Office of Personnel Management website at <a href="https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/exec/html/ES.aspx">https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/exec/html/ES.aspx</a>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be

<sup>&</sup>lt;sup>4</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the Budget Narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards" in the OJP Funding Resource Center at <a href="https://ojp.gov/funding/index.htm">https://ojp.gov/funding/index.htm</a>.

### C. Eligibility Information

For eligibility information, see title page.

For information on cost sharing or match requirements, see <u>Section B. Federal Award Information</u>.

### D. Application and Submission Information

### What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, Budget Narrative, and résumés or curriculum vitae of research partners (if applicable) and key personnel.

NOTE: OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See "Budget Information and Associated Documentation" below for more information about the Budget Detail Worksheet and where it can be accessed.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet," "Timelines," "Memoranda of Understanding," "Résumés") for all attachments. Also, OJP recommends that applicants include résumés in a single file.

Please review the "Note on File Names and File Types" under <u>How To Apply</u> to be sure applications are submitted in permitted formats.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, applications, and related information. Grants.gov and the OJP Grants

Management System (GMS) take information from the applicant's profile to populate the
fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity,
select "For-Profit Organization" or "Small Business" (as applicable).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for "Legal Name" (box 8a), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP's financial system.) Also, these recipients should enter the Employer Identification Number (EIN) in box 8c exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name in box 8a, its address in box 8d, its EIN in box 8b, and its Data Universal Numbering System (DUNS) number in box 8c of the SF-424. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the <a href="How To Apply">How To Apply</a> section for more information on SAM and DUNS numbers.

**Intergovernmental Review:** This solicitation ("funding opportunity") is not subject to Executive Order 12372. (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the "Program is not covered by E.O. 12372.")

### 2. Project Abstract

Applications should include a high quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (such as Times New Roman) with 1-inch margins.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

### 3. Program Narrative

The Program Narrative must respond to the solicitation (see Program-Specific Information on pages 5-6) and the Review Criteria (see pages 28-30) in the order given. The Program Narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 12 pages. Number pages "1 of 12," "2 of 12," etc. Charts and graphs may be included in the narrative, and may be single-spaced and feature smaller fonts as necessary to present the included data.

If the Program Narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the Program Narrative<sup>5</sup>:

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies

<sup>&</sup>lt;sup>5</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under <u>Section D. Application and Submission Information</u>.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (see "General Information about Post-Federal Award Reporting Requirements" in Section F. Federal Award Administration Information). The performance data directly relate to the objectives and deliverables identified under "Objectives and Deliverables" in Section A. Program Description.

Performance measures for this solicitation are listed in <u>Appendix I: Performance</u> Measures Table.

Applicants should visit OJP's performance measurement page at <a href="https://www.ojp.gov/performance">www.ojp.gov/performance</a> to view the specific reporting requirements for this grant program.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

### **Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

"Research," for purposes of human subjects protection for OJP-funded programs, is defined as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the "Research and the protection of human subjects" section of the "Requirements related to Research" webpage of the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards," available through the OJP Funding Resource Center at https://ojp.gov/funding/Explore/SolicitationRequirements/index.htm.

Every prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that webpage.

### 4. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties. If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <a href="https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm">https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm</a>.

### a. Budget Detail Worksheet

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <a href="https://ojp.gov/financialguide/DOJ/index.htm">https://ojp.gov/financialguide/DOJ/index.htm</a>.

### b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe **every** category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the objectives of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The Budget Narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated **all** costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should describe costs by year.

### c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action—for federal grants administrative purposes—is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply—many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <a href="https://ojp.gov/training/training.htm">https://ojp.gov/training/training.htm</a>.

- <u>Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.</u>
- Checklist to Determine Subrecipient or Contractor Classification.
- Sole Source Justification Fact Sheet and Sole Source Review Checklist.

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

### 1. Information on proposed subawards

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ

regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently-detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should: (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

### 2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement "contracts" under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <a href="https://ojp.gov/training/subawards-procurement.htm">https://ojp.gov/training/subawards-procurement.htm</a>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2

C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

### d. Pre-Agreement Costs

For information on pre-agreement costs, see <u>Section B. Federal Award Information</u>.

### 5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (unexpired), federally approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1–800–458–0786 or at <a href="mailto:ask.ocfo@usdoj.gov">ask.ocfo@usdoj.gov</a>. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <a href="https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf">https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf</a>.

Certain OJP recipients have the option of electing to use the "de minimis" indirect cost rate. An applicant that is eligible to use the "de minimis" rate that wishes to use the "de minimis" rate should attach written documentation to the application that advises OJP of both—(1) the applicant's eligibility to use the "de minimis" rate, and (2) its election to do so. If an eligible applicant elects the "de minimis" rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The "de minimis" rate may no longer be used once an approved federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the "de minimis" rate.) For additional eligibility requirements, please see Part 200 Uniform Requirements, as set out at <a href="https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200">https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200</a> 1414&rgn=div8.

### 6. Tribal Authorizing Resolution (if applicable)

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would

receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

### 7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high risk status)

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <a href="https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf">https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf</a> as part of its application. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

### 8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) posted at <a href="https://oip.gov/funding/Apply/Resources/Disclosure.pdf">https://oip.gov/funding/Apply/Resources/Disclosure.pdf</a>. An applicant that does not expend any funds for lobbying activities is to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

### 9. Additional Attachments

#### a. Timeline

Attach a project timeline that includes each project goal, related objective, activity, expected completion date, and responsible person or organization.

### b. Résumés and Curriculum Vitae

Attach the résumés of key project staff and the identified research partner(s), if applicable.

### c. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, **and** (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov

Health and Human	Drug-Free	John Doe, 202/000-0000;
Services/Substance	Communities	john.doe@hhs.gov
Abuse and Mental	Mentoring Program/	
Health Services	North County Youth	
Administration	Mentoring Program	

Each applicant should include the table as a separate attachment to its application. The file should be named "Disclosure of Pending Applications." The applicant's Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: "[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application."

### d. Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below:

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any

subrecipients—that could affect the independence or integrity of the research. including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
  - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding

organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

### e. Disclosure of Process Related to Executive Compensation

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (question 9c in the "OJP Financial Management and System of Internal Controls Questionnaire" located at

http://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf and mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process Related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied upon by the body that reviews and approves compensation arrangements for covered persons; and (4) the written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and

approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the IRS for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

### **How To Apply**

Applicants must register in and submit applications through <u>Grants.gov</u>, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <a href="https://www.grants.gov/web/grants/support.html">https://www.grants.gov/web/grants/support.html</a>.

Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at 800–518–4726 or 606–545–5035, which operates 24 hours a day, 7 days a week, except on federal holidays.

Important Grants.gov update. Grants.gov has updated its application tool. The legacy PDF application package has been phased out and was retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. OJP applicants should familiarize themselves with the Workspace option now. For complete information and instructions on using Workspace (and other changes), go to the Workspace Overview page at <a href="https://www.grants.gov/web/grants/applicants/workspace-overview.html">https://www.grants.gov/web/grants/applicants/workspace-overview.html</a>.

Registering with Grants.gov is a one-time process; however, **processing delays may occur**, and it can take several weeks for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation at <a href="https://www.grants.gov/web/grants/manage-subscriptions.html">https://www.grants.gov/web/grants/manage-subscriptions.html</a>. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

**Browser Information:** Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

**Note on Attachments:** Grants.gov has two categories of files for attachments: "mandatory" and "optional." OJP receives all files attached in both categories. Attachments are also labeled to describe the file being attached (e.g., Project Narrative, Budget Narrative, Other, etc.) Please

ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. **Do not embed "mandatory" attachments within another file**.

**Note on File Names and File Types:** Grants.gov **only** permits the use of **certain specific** characters in the file names of attachments. Valid file names may include **only** the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains **any** characters not shown in the table below. Grants.gov forwards successfully submitted applications to the OJP Grants Management System (GMS).

Characters
Upper case (A – Z)
Lower case (a – z)
Underscore ()
Hyphen ( - )
Space
Period (.)

	Special Characters	3
Parenthesis ()	Curly braces { }	Square brackets []
Ampersand (&)*	Tilde (~)	Exclamation point (!)
Comma (,)	Semicolon (;)	Apostrophe ( ' )
At sign (@)	Number sign (#)	Dollar sign (\$)
Percent sign (%)	Plus sign (+)	Equal sign (=)

\*When using the ampersand (&) in XML, applicants must use the "&" format.

**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," ".dbf," ".dlf," ".ini," ".log," ".ora," ".sys," and ".zip." GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Unique Entity Identifier (DUNS Number) and System for Award Management (SAM) Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

### Applying as an Individual

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Enter the FON at <a href="https://apply07.grants.gov/apply/IndCPRegister">https://apply07.grants.gov/apply/IndCPRegister</a> to complete the registration form and create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps below except 1, 2 and 4.)

### **Registration and Submission Steps**

1. Acquire a unique entity identifier (currently, a DUNS number). In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at <a href="https://www.dnb.com/">https://www.dnb.com/</a>. A DUNS number is usually received within 1–2 business days.

2. Acquire or maintain registration with SAM. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must update or renew its SAM registration at least annually to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.SAM.gov.

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password. Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <a href="https://www.grants.gov/web/grants/applicants/organization-registration.html">https://www.grants.gov/web/grants/applicants/organization-registration.html</a>. Individuals registering with Grants.gov should go to <a href="https://www.grants.gov/web/grants/applicants/registration.html">https://www.grants.gov/web/grants/applicants/registration.html</a>.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC). The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- **5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of

Federal Domestic Assistance (CFDA) number for this solicitation is #16.825, titled "Smart Prosecution Initiative" and the funding opportunity number is BJA-2018-13602.

- 6. Access Funding Opportunity and Application Package from Grants.gov. Select "Apply" under the "Actions" column. Enter your email address to be notified of any changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.
- 7. Submit a valid application consistent with this solicitation by following the directions in Grants.gov. Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. <a href="Important:OJP">Important:OJP</a> urges each applicant to submit its application at least 72 hours prior to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on April 24, 2018.

Go to <a href="https://www.grants.gov/web/grants/applicants/organization-registration.html">https://www.grants.gov/web/grants/applicants/organization-registration.html</a> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

### **Note: Application Versions**

If an applicant submits multiple versions of the same application, OJP will review <u>only</u> the most recent system-validated version submitted.

### **Experiencing Unforeseen Grants.gov Technical Issues**

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <a href="https://www.grants.gov/web/grants/support.html">https://www.grants.gov/web/grants/support.html</a> or the SAM Help Desk (Federal Service Desk) at <a href="https://www.fsd.gov/fsd-gov/home.do">https://www.fsd.gov/fsd-gov/home.do</a> to report the technical issue and receive a tracking number. The applicant must email the contact identified in the Contact Information section on the title page within 24 hours after the application deadline to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center at <a href="https://ojp.gov/funding/index.htm">https://ojp.gov/funding/index.htm</a>.

### **E. Application Review Information**

### **Review Criteria**

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

### 1. Statement of the Problem (15%)

Provide Uniform Crime Reporting (UCR) and/or population served data and describe the crime challenges of the jurisdiction. Any data provided should be verifiable and/or contained in official records. Identify the specific crime problem the jurisdiction seeks to address. Describe the process used to assess, analyze, or determine the nature of the crime or type of crime problem. Applicants may also describe any existing partnerships with the academic or research community.

### 2. Project Design and Implementation (25%)

Describe project activities that are linked to meaningful and measurable outcomes. BJA expects agencies to obtain results from their Innovative Prosecution Solutions—plausible, scientifically based findings that their approach had an effect on the chronic crime problem and/or organizational effectiveness.

Specifically describe how the project will accomplish expected outcomes by providing the objectives and performance measures applicable to the project. Include a comprehensive timeline (as an attachment) that identifies milestones, numerically lists deliverables, and indicates who is responsible for each activity.

If the proposal includes a research partner, describe their roles and responsibilities and how the research partner is integrated into the Innovative Prosecution Solutions strategy. For example, how the research partner will assist in the problem description and definition; participate in solution development; provide ongoing analysis, monitoring, and assessment of the solution(s) impact; and prepare a final report that thoroughly assesses the results of the project.

Describe and provide evidence of the types and quality of data sources available to the agency to conduct appropriate analysis. For example:

- Does the agency have access to multiple sources of data (both internal and external to the agency) specific to the identified problem?
- Does the agency have the ability to integrate data from different sources?

Describe the development of a prevention or mitigation strategy to address the problem based on careful, thorough analysis.

Applicants must also demonstrate coordination with their USAO district PSN team.

Describe how information and updates about the Innovative Prosecution Solutions project will be disseminated within the applicant agency throughout the life of the project. This dissemination strategy's objectives must include increasing knowledge and understanding of the value of research and evidence-based practice at all levels of the law enforcement organization and facilitating the sustained adoption of strategies and practices that the project's evaluation determines to be successful.

### 3. Capabilities and Competencies (20%)

Fully describe the applicant's capabilities to implement the project and the competencies of the staff assigned to the project, including but not limited to, crime and criminal intelligence analysis capacity. Specifically, the applicant should:

- Describe the level of agency executive support for the project, as well as the nature and extent of involvement of command staff in the project.
- If including a research partner in the proposed project, describe the qualifications and prior experience with "action research."
- Describe experience with such activities as:
  - Collecting and analyzing criminal justice and public safety data, and using data to identify criminal justice and public safety-related problems.
  - Working collaboratively with law enforcement agencies to overcome barriers to research-driven problem solving, as well as identifying and proposing proven strategies to address problems.
  - Documenting program operations and processes, making recommendations for program improvement, measuring program outcomes, and using data to determine program effectiveness.
  - Regularly presenting findings and conclusions, both orally and in written form, to law enforcement professionals, developing "real-time" products and resources for strategic decision-making, and working with law enforcement agencies to develop a sustainability plan.
  - Communicating with a wide variety of public sector, private, and communitybased individuals.

If using a research partner, and if unable to identify a specific research partner in the application due to competitive procurement policies in place in the applicant's jurisdiction, the applicant should instead describe the expected qualifications and background of the research partner who will be recruited through its established competitive procurement process.

### 4. Plan for Collecting and Analyzing the Data Required for this Solicitation's Performance Measures and Project Evaluation Design (25%)

Describe the process and methods for evaluating project performance, to include a description of (1) the outcome evaluation methodology and research design, that will provide findings related to the implementation and outcomes of the selected project strategy; and (2) the process and methods for collecting required performance metrics and submission of these metrics to BJA in accordance with the requirements of this solicitation.

For both of the aforementioned data collection and evaluation processes, applicants must identify who will collect the data, who is responsible for performance and outcome measurement, and how the information will be used to guide and evaluate the impact of the program. Describe the process to accurately report implementation and outcome findings.

### 5. Budget (10%)

Provide a proposed budget and Budget Narrative that are complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget Narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget Narratives should also demonstrate cost effectiveness in relation to potential alternatives and the objectives of the project.<sup>6</sup>

Applicants should budget travel and lodging for their team to attend three peer-to-peer exchanges over the lifetime of the grant. These meetings may be held in the Washington, D.C., area or other regions of the country.

### 6. Plan for Sustainability (5%)

Describe the plan for sustaining any innovations, crime reductions, organizational changes, and other collaborations established or achieved during the project, and which are found to be successful by the project's evaluation, once the federal funding support ends.

### **Review Process**

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

The application must be submitted by an eligible type of applicant.

<sup>&</sup>lt;sup>6</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as "critical elements."
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see "What an Application Should Include" under Section D. Application and Submission Information.

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for BJA include geographic diversity, strategic priorities, and available funding, as well as the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, [FAPIIS]).

### Important note on FAPIIS

An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as:

- 1. Applicant financial stability and fiscal integrity
- Quality of the applicant's management systems, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide

- 3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies
- 4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
- 5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

### F. Federal Award Administration Information

### **Federal Award Notices**

Award notifications will be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully executed award document to OJP.

### Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes and regulations, and executive orders (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards," available in the OJP Funding Resource Center at <a href="https://ojp.gov/funding/index.htm">https://ojp.gov/funding/index.htm</a>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds. (An applicant is not required to submit these documents as part of an application.)

- <u>Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility</u>
   Matters; and Drug-Free Workplace Requirements
- Certified Standard Assurances

The webpages accessible through the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in <u>Section A. Program Description</u>, any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP webpage at <a href="https://ojp.gov/funding/FAPIIS.htm">https://ojp.gov/funding/FAPIIS.htm</a>.

<u>Data on performance measures.</u> In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103–62, and the GPRA Modernization Act of 2010, Public Law 111–352, OJP will require any award recipient, post award, to provide performance data as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at <a href="www.ojp.gov/performance">www.ojp.gov/performance</a> to view the specific reporting requirements for this grant program. Performance measures are also listed as an appendix.

### **G. Federal Awarding Agency Contact(s)**

For OJP contact(s), see the title page.

For contact information for Grants.gov, see the title page.

### H. Other Information

### Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

#### Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to <a href="mailto:ojppeerreview@l-secb.com">ojppeerreview@l-secb.com</a>. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

### **Appendix I: Performance Measures**

Objective	Performance Measure(s)	Data Grantee Provides
Identify and address a new solution to a specific public safety concern, internal operation, or organizational structure, using an analysisdriven or innovative approach.	Percent of program objectives completed that are directly linked to grant funding and address a specific problem.	Number of program tasks that were completed during the reporting period that are directly linked to grant funding (Task: define grant activity in the application project plan.)
		Number of total program tasks (complete or incomplete) that are directly linked to grant funding.
	Number of new solutions employed.	Number of new solutions employed during the current reporting period.
	Number of evidence-based practices deployed.	Number of evidence-based practices deployed over the life of the grant.
Enhance prosecutorial knowledge of effective strategies and tactics for crime problems or criminogenic circumstances.	Number of engagements with the TTA partner.	During the reporting period, the number of following TTA engagements: A. Telephonic Technical Assistance B. Onsite Visits/Technical Assistance C. In-person Training Sessions D. Web-based Training Sessions
Support and sustain evidence-based prosecution and public safety strategies.	Percent of prosecutors involved in the initiative using data analysis.	Number of prosecutors involved in the initiative during the reporting period.  Number of prosecutors using data analysis.
	Number of partnerships established with other criminal justice organizations or agencies.	Number of formal agreements signed with new research partnerships during the reporting period (e.g. MOUs, LOAs, other formal agreements).
		Number of new partnerships formed with other criminal justice organizations or agencies during the reporting period.
	Number of public or community briefings or trainings promoting evidence-based practices.	Number of briefings or outreach to the public or community about evidence-based practices.
		Types of briefings or outreach to the public or community about evidence-based practices.
	Number of research partner engagements	During the reporting period, number of times staff engaged in the initiative met with the research partner.
		Describe the activities that the research partner is conducting.

### Appendix II: Application Checklist FY 2018 Innovative Prosecution Solutions

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:
Prior to Registering in Grants.gov:
Acquire a DUNs Number (see page 26)
Acquire or renew registration with SAM (see page 26)
To Register with Grants.gov.
Acquire AOR and Grants.gov username/password (see page 26)
Acquire AOR confirmation from the E-Biz POC (see page 26)
To Find Funding Opportunity:
Search for the Funding Opportunity on Grants.gov (see page 27)
Access Funding Opportunity and Application Package (see page 27)
Sign up for Grants.gov email notifications (optional) (see page 24)
Read Important Notice: Applying for Grants in Grants.gov
Read OJP policy and guidance on conference approval, planning, and reporting
available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm
available at oppige villational galacide confederation to daniello contactor of the article
After Application Submission, Receive Grants.gov Email Notifications That:
(1) application has been received,
(2) application has either been successfully validated or rejected with errors (see page
24)
If No Grants.gov Receipt, and Validation or Error Notifications are Received:
contact the NCJRS Response Center regarding experiencing technical difficulties (see
page 2)
page 2)
Overview of Post-Award Legal Requirements:
Review the "Overview of Legal Requirements Generally Applicable to OJP Grants and
Cooperative Agreements - FY 2018 Awards" in the OJP Funding Resource Center at https://
ojp.gov/funding/index.htm.
Scope Requirement:
The federal amount requested is within the allowable limit(s) of \$360,000.
The federal amount requested is within the allowable limit(s) of \$500,000.
Eligibility Requirement:
Eligible applicants are limited to state and local prosecutorial agencies, federally
recognized Indian tribal governments that perform prosecution functions (as determined
by the Secretary of the Interior), or tribal consortia consisting of two or more federally
recognized Indian tribes (including tribal consortia operated as nonprofit organizations),
acting as a fiscal agent for one or more prosecutor agencies.
What an Application Chauld Industry
What an Application Should Include:
Application for Federal Assistance (SF-424) (see page 12)
Project Abstract (see page 13)

 *Program Narrative (see page 13)
Résumés and Curriculum Vitae (see page 20)
*Budget Detail Worksheet (see page 15)
*Budget Narrative (see page 15)
Indirect Cost Rate Agreement (if applicable) (see page 18)
Tribal Authorizing Resolution (if applicable) (see page 19)
Financial Management and System of Internal Controls Questionnaire (see page 19)
Disclosure of Lobbying Activities (SF-LLL) (see page 20)
Timeline (see page 20)
Applicant Disclosure of Pending Applications (see page 20)
Research and Evaluation Independence and Integrity (see page 21)
 Disclosure of Process related to Executive Compensation (see page 23)

<sup>\*</sup> Indicates basic minimum requirements.