

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



---

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is seeking applications for the Effective Administration of Criminal Justice Training and Technical Assistance Program, as part of the Justice For All Reauthorization Act of 2016. This program furthers the Department's mission by assisting state, local and tribal jurisdictions in reducing crime and improving the functioning of the criminal justice system, specifically through support for statewide strategic planning and protection of constitutional rights under the Sixth Amendment to the U.S. Constitution.

# **Justice For All: Effective Administration of Criminal Justice Training and Technical Assistance Program FY 2019 Competitive Announcement**

## **Applications Due: May 14, 2019**

### **Eligibility**

Eligible applicants are limited to any national nonprofit organization, for-profit (commercial) organization (including tribal nonprofit or for-profit organizations), or institution of higher learning (including tribal institutions of higher education) that has expertise and experience in managing the provision of training and technical assistance (TTA) for evidence-based criminal justice programs. In addition, the applicant must show the capacity to provide technical expertise in implementing action research partnerships between criminal justice researchers and practitioners. All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

BJA welcomes applications that involve two or more entities that would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees).<sup>1</sup> The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire TTA program. 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.

---

<sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

BJA may elect to make awards for applications submitted under this FY 2019 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

## Deadline

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/home.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on May 14, 2019.

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 [How To Apply](#) 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 <https://www.grants.gov/web/grants/support.html>, or at [support@grants.gov](mailto:support@grants.gov). 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); by email at [grants@ncjrs.gov](mailto:grants@ncjrs.gov); fax at 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this solicitation: BJA-2019-15252

Release date: March 13, 2019

# Contents

A. Program Description .....	4
Overview .....	4
Program-Specific Information .....	5
Objectives and Deliverables .....	6
Evidence-Based Programs or Practices .....	9
Information Regarding Potential Evaluation of Programs and Activities.....	10
B. Federal Award Information.....	10
Type of Award.....	10
Financial Management and System of Internal Controls.....	11
Budget Information.....	11
Cost Sharing or Matching Requirement.....	12
Pre-agreement Costs (also known as Pre-award Costs). .....	12
Limitation on Use of Award Funds for Employee Compensation; Waiver .....	12
Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs .....	13
Costs Associated with Language Assistance (if applicable) .....	13
C. Eligibility Information.....	13
D. Application and Submission Information .....	13
What an Application Should Include .....	13
How To Apply.....	27
E. Application Review Information.....	31
Review Criteria.....	31
Review Process .....	33
F. Federal Award Administration Information .....	34
Federal Award Notices .....	34
Administrative, National Policy, and Other Legal Requirements .....	35
General Information about Post-Federal Award Reporting Requirements .....	36
G. Federal Awarding Agency Contact(s) .....	36
H. Other Information.....	36
Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).....	36
Provide Feedback to OJP .....	37
Appendix A: Application Checklist .....	38
Appendix B: Performance Measures Table .....	40

# Justice For All: Effective Administration of Criminal Justice Training and Technical Assistance Program CFDA # 16.738

## A. Program Description

### Overview

The Justice for All Act of 2004 (JFAA) was enacted to protect the rights of crime victims, eliminate the substantial backlog of DNA samples in crime laboratories, and expand DNA testing capacity. JFAA was reauthorized and updated in 2016 through passage of the [Justice For All Reauthorization Act](#) (JFARA). The reauthorization established the Effective Administration of Criminal Justice Act of 2016, which added two new activities to JFAA through an amendment to the Edward Byrne Memorial Justice Assistance Grant (JAG) statute. The first requires that each [JAG](#) [Link to BJA JAG Page] applicant include with its application a "comprehensive statewide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system." Each plan must be updated every 5 years, with annual progress reports. Second, the JFARA created a mandatory carve-out of JAG funds that will be used to provide technical assistance to states and local governments under two areas:

1. Support to develop and implement required statewide strategic plans to assist policy makers with allocation of JAG resources; and
2. Support to meet the obligations established by the Sixth Amendment to the U.S. Constitution.

### Statutory Authority

Any awards under this solicitation would be authorized by 34 U.S.C. § 10153(b).

### Overview and Program Specific Information

BJA launched the JFARA training and technical assistance (TTA) programs in 2016, in response to the new areas of authority described in the Act. This included support for the development of statewide strategic planning to inform resource allocation under JAG, and TTA for state and local governments to ensure compliance with the provisions of the Sixth Amendment of the United States Constitution.<sup>2</sup> For more information on Sixth Amendment TTA, see <https://www.bja.gov/sixthamendment/>.

The purpose of this FY 2019 competitive grant is to select up to two providers to deliver TTA services to state and local governments requesting services under the two areas described above. The role of selected TTA providers is to assist BJA JAG grantees and other state and local jurisdictions in accomplishing the goals of the initiative. Additionally, the selected TTA providers are responsible for responding to grantee requests for assistance and for advancing

---

<sup>2</sup> This Amendment ensures that in all criminal prosecutions, defendants have a number of rights: to a speedy and public trial; to an impartial jury; to know the nature and cause of the accusations; to confront witnesses against them; to obtain witnesses in their favor; and the right to counsel.

the state of knowledge about their respective subject(s). Approaches to TTA will range from simple to complex, from short- to long-term, from agency-specific to system-wide, depending on the specific needs of the grantee or requestor. Mechanisms for providing TTA can include, but are not limited to: conference calls, on-site consultation, video conferencing, webinars, publications, peer-to-peer learning sessions, coaching, communities of practice, customized resource packets, facilitated sessions, trainings, guided planning processes (e.g., strategic planning, development and/or review of policy and procedures, and in-person trainings).

For more information on statewide strategic planning, see <https://www.ncja.org/ncja/ncja-services/ncja-services-strategic-planning-tta>.

For more information on Sixth Amendment TTA, see <https://www.bja.gov/sixthamendment/>

The FY 2019 solicitation seeks applications for funding under the following two categories:

### **Category 1: Statewide Strategic Planning Training and Technical Assistance**

This category seeks a provider to deliver TTA and strategic planning services to policymakers at the state level in order to support strategic planning efforts as required by JAG. Recipients of TTA services may include state-level policymakers, criminal justice advisors to governors and State Administering Agencies (SAAs). These are vital partners to BJA in the administration of JAG Program funding. In most states, these entities are responsible for disseminating state JAG allocations (along with other DOJ funding) in a manner consistent with statutory and programmatic requirements, and for providing assistance in addressing the pressing concerns of state and local criminal justice entities.

The selected TTA provider should have demonstrated expertise in delivering and managing a national-level TTA program and have particular knowledge of state-level policymakers and criminal justice advisors to governors. In particular, the applicant should have demonstrated past experience in working with SAAs and/or an understanding of SAAs' operations (including how JAG funds are managed at the state level), organizational structure, culture, and environment.

### **Category 2: Sixth Amendment Training and Technical Assistance**

This category seeks to fund a national Sixth Amendment TTA partner that will work together with existing partners to manage and expand a robust TTA strategy for state and local governments and their agents responsible for ensuring protection of Constitutional rights under the Sixth Amendment. The applicant should have demonstrated expertise in delivering TTA on a national level and have particular knowledge of Sixth Amendment Rights. BJA is looking for a collaborative partnership that will provide expertise and experience working with a range of criminal justice stakeholders, particularly in the fields of defense, court administration, judiciary, and prosecution. The TTA provider should be capable of providing a wide range of expertise to audiences that have differing and sometimes conflicting interests in the following areas of emphasis in Sixth Amendment rights: speedy trial, impartial jury, witnesses at trial, and right to counsel. Applicants should define the areas in which they will work and identify their focus based on the law and BJA's existing work in this area.

Fulfilling 6<sup>th</sup> Amendment requirements can be particularly complex in rural or small jurisdictions where courts may not be in session daily and/or where there are long distances in the locations between key parties, creating more risk for delays in arraignments, hearings, and trials.

Criminal justice stakeholders and policy makers in rural jurisdictions have asked for assistance in creative ways to support their needs, particularly in light of new tools and technologies. In these settings, approaches used in larger, more populous areas may not be feasible. Urban and suburban jurisdictions face their own challenges, with larger volume of work being impacted more by variances in case flow, making management of cases and scheduling a challenge. The tasks associated with managing first appearance pre-trial motions and scheduling hearings can impede the protection of the right to know the nature and cause of an accusation. The impact of social media and mistrust of the criminal justice process have created challenges in the management of jurors and of witnesses including issues related to witness intimidation and juror interference. Given this range of needs, BJA is seeking a partner capable of addressing this range of needs with relevant and timely assistance.

BJA currently funds three TTA partners who directly assist 10-12 jurisdictions with intensive, needs-driven strategic planning TA as well as targeted TA on specific issues related to Sixth Amendment issues within their jurisdictions, with a focus on the right to counsel. These activities will continue through the first year of the award, and allow for continuity and expansion of the scope of work. The new provider will support assistance to additional jurisdictions, and will take over coordination and management of activities in year two. In year two, the provider will also take over the management of assessments, evaluations, and action research partnerships with state and local governments in order to support an objective assessment of existing right-to-counsel services under Sixth Amendment case law. Finally, the provider will support and then take over management of a website providing resources and online tools for criminal justice professionals dealing with right-to-counsel issues; and provide targeted TA related to other Sixth Amendment issues. This category seeks to build on these current efforts by providing assistance to more jurisdictions and to continue this work that will end with current partners in late 2020.

## **Objectives and Deliverables**

### **Category 1**

#### **Objectives:**

The objectives of this category are to (1) support the enhancement and development of statewide strategic plans by providing resources and assistance to enhance state and local jurisdictions' capacity to meet the JAG strategic planning requirements; and to (2) share strategic planning resources, information, and practices with stakeholders in the field.

#### **Deliverables**

With guidance from BJA, the awardee will develop and manage a national-level TTA program to support statewide strategic planning efforts. Applicants should describe how they will produce the following deliverables:

- A plan to assess state and local policymakers' TTA strategic planning needs and, based on the assessment, to support their strategic plan development. Applicants must describe how they will support the development and implementation of strategic plans as required by JAG.
  - Applicants must detail the framework, methodologies, and timelines that will be used to guide the strategic planning processes.
  - The TTA plan should include the availability of the following types of services (at a minimum):

- Individual site assessments to determine analytical gaps and needs and the development of recommendations for addressing them
  - Onsite and offsite assistance which includes:
    - Individualized TTA work plans for each site based on their individualized assessments. Work plans should be presented to the site, revised as needed, and agreed to by the site. Work plans are a living document and should be revised as needed. Work plans should include checklists to help sites execute key tasks. Please note that BJA may require the selected provider to submit for review and approval proposed TTA plans, protocols or strategies in advance of dissemination and implementation with grantees.
    - Efforts to anticipate, quickly identify, and address challenges that arise during TTA delivery. When challenges arise, the TTA provider should engage in strategies like case conferencing to harness the collective knowledge of subject matter experts.
  - A TTA team that will be supported by various consultants/subject matter experts with expertise in a wide-range of topics, including, but not limited to:
    - Violent crime reduction
    - Crime analysis and data analysis capacity building
    - Evidence-based approaches to supporting individuals with substance abuse and/or mental health disorders
    - Research partnership development
    - Evaluation design, methodology, and advanced data analysis
    - Multi-agency and multi-sector collaboration to enhance public safety
  - Peer-to-peer learning opportunities that leverage the expertise of state and local policymakers and other subject experts:
    - This could include national and/or regional meetings, workshops, or other educational sessions. BJA asks that applicants propose a plan for meetings that best aligns with their overall TTA approach.
- A communications strategy to ensure that state and local policymakers are aware of the available TTA services and have easy access to them, and other relevant information to support strategic planning needs.
  - The applicant should consider the creation of a dynamic, up-to-date and interactive website describing TTA services, augmented by social media outreach, an online newsletter, webinars, and blogging opportunities targeted towards state and local policymakers. Provide online resources, materials, and limited assistance (via phone or email) that is available to both state and local policymakers and the general public regarding strategic planning, lessons learned and related issues. Describe how these materials and web platform will be kept current, in terms of substantive information and technology.
  - Applications should detail a materials production plan that aligns with the TTA delivery plan and considers how best to reach policymakers with both hard-copy materials and web-based resources. BJA strongly encourages the use of distance learning opportunities such as webinars.

- o The applicant should consider the creation of a dynamic, up-to-date and interactive website describing TTA services, augmented by social media outreach, an online newsletter, webinars, and blogging opportunities targeted towards state and local policymakers.
- Serve as a subject matter expert to proactively build field knowledge and capacity in the area of strategic planning. This may include coordinating and supporting participation in national meetings and conferences via workshops, panel presentations, and briefings.
- A plan for how the TTA provider will assess the TTA provided (e.g., follow up surveys, pre/post phone data collection).

## **Category 2**

### **Objectives**

The objectives of this category are to (1) enhance the capacity of state and local jurisdictions to protect Sixth Amendment rights through training, strategic planning assistance; and to (2) share resources, knowledge, and practices that will support jurisdictions' efforts to meet their Sixth Amendment obligations.

### **Deliverables**

With guidance from BJA, the awardee will develop and manage a national-level TTA program to support state and local governments in enforcing the requirement of the Sixth Amendment in the targeted areas described above. The awardee will:

- Provide on-demand TTA to include an assessment of state or local practices in protecting Sixth Amendment rights with recommendations for improvement, engaging partners at the state and local levels.
- Develop and deliver customized TTA (both onsite and offsite) as requested by the state or local agent. Arrange travel and logistical requirements for each TTA engagement. Over the 3-year project period, the awardee will engage with 4-8 jurisdictions.
- Make online resources, materials, and limited assistance (via phone or e-mail) available to state and local agents and the general public, and share lessons learned and related issues. Describe how these materials will be kept current in terms of substantive information and technology and how this platform will be sustained after the completion of the project term.
- Identify gaps in research and provide recommendations on additional tools and resources needed.
- Support action research, assessments and limited evaluations of practice to support strategic planning, knowledge of effective practices and documentation of innovative and evidence-based practices.
- Provide annual reports assessing TTA and practices, structures, and models implemented pursuant to the grant.
- Develop and disseminate articles, publications, materials, webinars, and guides, as needed, to reinforce information exchange.
- Plan to conduct one national and/or several regional meetings, conventions, or other educational sessions for criminal court and defender system representatives and organizations, along with diverse stakeholders including law enforcement, prosecutors, corrections, sheriffs and community stakeholders, to inform them of the available resources.

- Work with the current TTA partner overseeing the website described above. In year two of the award, transition to take over management of the website. Describe how the content for the web platform will be kept current in terms of substantive information/technology.
- In year two, enhance and expand interactive content for the web platform currently managed by the existing provider. Content should expand beyond right-to-counsel issues to include a wide range of best practices, structures, and models being used to secure Sixth Amendment rights. The platform will provide information about TTA provided under the grants, collect relevant research on securing Sixth Amendment rights, build and host a database for promising practices, tools, and resources, and archive applicable trainings. The content will also support strategies for more rural jurisdictions. Describe how the content for the web platform will be kept current in terms of substantive information/technology.

### **Overall Requirements (all Categories)**

Upon BJA's recommendation and approval, the awardee will collaborate with other entities, other BJA programs, and other federal agencies to enhance resources and knowledge, as well as leverage the respective expertise of partners to respond to the needs of the field and to collaborate and coordinate services and technical support across offices and departments. Applicants should review OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) to ensure that adequate time is included in the proposed project timeline to accommodate this process.

The TTA providers will be required to participate in BJA's GrantStat and associated processes for specified grantees. Through GrantStat and its associated processes, BJA examines the performance of the grant programs funded by BJA by tracking grantee or program performance along several key indicators. GrantStat and its associated processes call for the collection and analysis of performance data and other relevant grant-level information that enables BJA and its TTA partners to be held accountable for the grantee's and program's performance as measured against the program's goals and objectives. This process also enables BJA to coordinate with the TTA partner to identify needs and plans to respond to them. The TTA provider will be required to assist grantees in the collection of performance measure data, working in collaboration with local research partners.

The Goals, Objectives and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in [Section D. Application and Submission Information](#), 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 <https://www.crimesolutions.gov> 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 expects to make at least two awards for a minimum of \$5,000,000 in total funds. In Category 1, BJA expects to make one award up to or exceeding \$2,500,000 for a 36-month period of performance to begin on October 1, 2019. In Category 2, BJA expects to make one award up to or exceeding \$2,500,000 for 36 months.

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.

### **Type of Award**

BJA expects to make any award under this solicitation in the form of a cooperative agreement, which is a type of award that provides for OJP to have substantial involvement in carrying out award activities. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

## Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>3</sup>) must, as described in the Part 200 Uniform Requirements<sup>4</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.

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 <https://onlineqfmt.training.ojp.gov>. (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 [Section D. Application and Submission Information](#), applicants may access and review a questionnaire—the [OJP Financial Management and System of Internal Controls Questionnaire](#)—that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

## Budget Information

---

<sup>3</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 [What an Application Should Include](#), Section 4c of this solicitation.

<sup>4</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.

### **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.

For additional information on cost sharing and match, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.3b.htm>.

### **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 <https://ojp.gov/financialguide/DOJ/index.htm> 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.<sup>5</sup> The 2019 salary table for SES employees is available on the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/exec/html/ES.aspx>. 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 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.

---

<sup>5</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.

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 <https://ojp.gov/funding/index.htm>.

## **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

## **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, and Budget Narrative.

**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 [How To Apply](#) 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 pre-applications, 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, current recipients should enter the Employer Identification Number (EIN) in box 8b 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 [How To Apply](#) 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 fewer. Project abstracts should be:

- Identify what category the applicant is applying for.
- 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.

Applicants should include the following:

- List the category of funding requested (1 or 2).
- Funding requested.
- Number of jurisdictions to be served.
- Briefly describe key highlights of the project’s design. Identify any partner organizations key to implementation and how you will leverage expertise to provide relevant and prompt services.

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 requirements outlined in the relevant category description. Specifically, applicants must address the category’s objectives and deliverables, and explain the strategies they will use to realize them. For more information about the required goals and deliverables in each category, please see the following pages:

Category 1: Statewide Strategic Planning Training and Technical Assistance. See pages XX for this category’s required goals and objectives.

Category 2: Sixth Amendment Training and Technical Assistance . See pages 8-9 for this category’s required objectives and deliverables.

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 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>6</sup>:

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

---

<sup>6</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

c. Capabilities and Competencies

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. Applicants should visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

Post award, grant recipients will be required to submit performance metric data semi-annually through BJA's online Training and Technical Assistance Reporting Portal. More information on the reporting requirements can be found at: <https://www.bjatrainng.org/working-with-nttac/providers>.

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. 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.

Performance measures for this solicitation are listed in [Appendix B: Performance Measures Table](#).

e. Plan for Measuring Program Success to Inform Sustainment

---

### **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/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 <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

##### **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 <https://ojp.gov/financialguide/DOJ/index.htm>.

##### **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) and 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 <https://ojp.gov/training/training.htm>.

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [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 \$250,000)**

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 <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the Simplified Acquisition Threshold—currently, \$250,000—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 \$250,000 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 \$250,000) 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 \$250,000 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 [Section B. Federal Award Information](#).

**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 [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

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 the “de minimis” rate requirements (including information on eligibility to elect to use the rate), see the Part 200 Uniform Requirements, at 2 C.F.R. 200.414(f).

**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 <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> 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

<https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. 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 objective, activity, expected completion date, and responsible person or organization.

### b. Résumés

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

### c. Memoranda of Understanding (MOU)/Letters of Support (LOS)

If submitting an application which includes more than one provider, include signed MOUs and/or LOS.

### d. Applicant Disclosure of Proposed Subrecipients

Attach a list of proposed subrecipients of grant funding, if applicable, that includes the name, organizational affiliation, and location of the proposed subrecipient entity.

### e. 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 Office)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

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."

**f. Applicant Disclosure and Justification – DOJ High Risk Grantees<sup>7</sup>**

An applicant that is designated as a DOJ High Risk Grantee is to submit, as a separate attachment to its application, information that OJP will use, among other pertinent information, to determine whether it will consider or select the application for an award under this solicitation. The file should be named "DOJ High Risk Grantee Applicant Disclosure and Justification." (See, also, Application Review Information, for a brief discussion of how such information may considered in the application review process.)

OJP constantly seeks to optimize its investments in criminal- and juvenile justice-focused programs and activities, increase program effectiveness, and maximize the return – and program impact – from limited programmatic resources. Therefore, OJP may remove from consideration or not select for award a "DOJ High Risk Grantee" applicant that is determined to pose a substantial risk of program implementation failure. In making such determinations, OJP will consider one or more of the following factors: the applicant's lack of sufficient progress in addressing required corrective actions necessary for removal of the DOJ High Risk Grantee designation; the nature and

<sup>7</sup> A "DOJ High Risk Grantee" is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

severity of the issues leading to or accompanying the applicant's DOJ High Risk Grantee designation; or the applicant's expected ability to manage grant funds and achieve grant goals and objectives.

In this attachment, the applicant is to provide any additional information or justification – especially with regard to corrective actions yet to be implemented (as of the application date) – that may help demonstrate how the applicant has addressed or otherwise mitigated such uncorrected matters, such that any negative impact on the proposed program and its implementation would be immaterial or would be significantly reduced or eliminated. (To the extent that the applicant believes that any of the information provided pursuant to this disclosure may be confidential in nature, the applicant should specifically identify it.)

**g. 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.

#### **h. 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 [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <https://www.grants.gov/web/grants/support.html>. 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.

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 <https://www.grants.gov/web/grants/manage-subscriptions.html>. 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). 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

An application can be checked for errors via the **Check Application** button on the **Forms** tab of the **Manage Workspace** page. The button is active if the set of forms in the workspace matches those required in the application package. If you receive a **Cross-Form Errors** message after clicking the **Check Application** button, refer to the Cross-Form Errors help article for more detailed information about this validation error.

**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		
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 “&amp;” 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,” “.db,” “.dbf,” “.dll,” “.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 SAM and unique entity identifier (currently, a 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 <https://apply07.grants.gov/apply/IndCPRegister> 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).** 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 <https://www.dnb.com/>. A DUNS number is usually received within 2 business days.

- 2. Acquire or maintain registration with SAM.** Any applicant for an OJP award creating a new entity registration (or updating or renewing a registration) in SAM.gov must submit an original, signed notarized letter appointing the authorized Entity Administrator within thirty (30) days of the registration activation. **Notarized letters must be submitted via U.S. Postal Service Mail.** Read the Alert at [sam.gov/SAM/](http://sam.gov/SAM/) to learn more about what is required in the notarized letter, and read the Frequently Asked Questions (FAQs) at [www.gsa.gov/samupdate](http://www.gsa.gov/samupdate) to learn more about this process change. 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). Information about SAM registration procedures can be accessed at [sam.gov/SAM/](http://sam.gov/SAM/).

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.

- 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 <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to <https://www.grants.gov/web/grants/applicants/registration.html>.
- 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 16.738, titled "*Edward Byrne Memorial Justice Assistance Grant Program*," and the funding opportunity number is BJA-2019-15252.
- 6. Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. Select the appropriate Competition ID for the intended purpose area of the application:

Category 1: Strategic Planning Training and Technical Assistance. **Competition ID: BJA-2019-15258.**

Category 2: Sixth Amendment Training and Technical Assistance. **Competition ID: BJA-2019-15259.**

7. **Access Funding Opportunity and Application Package from Grants.gov.** Select “Apply for Grants” under the “Applicants” 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.
8. **Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** To preview the application prior to (or after) submitting, go to the **View Application** tab in Workspace. For additional information, review the [View Application Tab](#) help article and [Attachments Tab](#) help article. 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. **Important:** OJP 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 May 14, 2019.

Go to <https://www.grants.gov/web/grants/applicants/organization-registration.html> 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 only 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 <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> 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 <https://ojp.gov/funding/index.htm>.**

## **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 (10 percent)**

- a. Describe the need for TTA as well as the challenges grantees and requestors in the field face in planning, implementing, or expanding comprehensive efforts in the subject matter area of the application.
- b. Provide a clear and concise statement that demonstrates a thorough understanding of why the operation and expansion of the TTA/resource center is important, if applicable, as well as the scope of its potential contributions to the field.

#### **2. Project Design and Implementation (40 percent)**

- a. Describe how the applicant will identify, assess, and deliver the proposed assistance. Detail how effective TTA will be delivered in the subject matter area as **outlined in the program objectives and deliverables on pages 6-9**. Applicants are expected to address these expectations in addition to category-specific ones. Describe the specific activities for providing TTA and outreach to grantees and field-initiated requestors.
- b. Provide a complete description of all the requested deliverables and the methods for their delivery (e.g. adult learning principles, development sources, distance learning, process for information assessment, and revision). Detail how the applicant will implement the deliverables listed in the Program-specific Information section. Describe the goals and objectives and identify strategies for realizing each program deliverable as well as timelines.
- c. Describe any materials to be developed and/or technical assistance to be provided as they relate to the applicable category.
- d. Articulate the applicant's vision for the role of the TTA/resource center, if applicable.
- e. Provide a well thought-out plan for transferring knowledge, best practices, and assistance to the overall reentry field, including a description of how the applicant

envisions working on behalf of BJA and other partners in providing these services.

- f. Provide a timeline (as an attachment) for completing the deliverables and identify the percentage of time to be dedicated by the individuals responsible for those tasks.

### **3. Capabilities and Competencies (30 percent)**

- a. Describe the applicant, its partners, and each organization's role. Demonstrate the capability of the lead organization and any collaborative partners (subrecipients) to implement each component of the project, including gathering and analyzing information, developing a plan, evaluating the program, and staff capacity to provide technical assistance to large numbers of grantees simultaneously.
- b. Describe the organization's ability to provide proactive, comprehensive, user-friendly TTA by developing protocols for the assessment and delivery of TTA, as well as tracking, evaluation, and necessary follow-up activities.
- c. Provide examples of the organization's experience in using TTA strategies that include developing grantee tools and resources, using distance learning, peer-to-peer consultations, and onsite and offsite technical assistance.
- d. List the consultants with whom the applicant plans to work with to deliver TTA services.
- e. Describe the management structure and outline the applicant's ability to conduct activities by virtue of its experience, and recruit and partner with individuals and other organizations with the expertise to enhance the applicant's experience in developing and providing TTA. The management and organizational structure described should match the staff needs necessary to accomplish the tasks outlined in the implementation plan. Detailed information contained in the Project Timeline, Position Descriptions, and Letters of Support will form the basis for assigning points relative to this criterion.

### **4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent)**

- a. Describe the process the applicant will use to measure project performance. This should include measures for adhering to project timelines, meeting deliverable schedules, obtaining input from customers, and seeking feedback from stakeholders.
- b. Identify what data will be collected, who will be responsible for collecting and reporting the data, who is responsible for performance measurement, how the data will be stored, how any personally identifiable information (PII) will be protected, and how the information will be used to guide the program. Discuss how the project will address collection of data from public sources, where possible, and any specific gaps in data working with the field.

### **5. Budget (10 percent)**

- a. Review all of the category-specific requirements and ensure that your budget includes appropriate allocations to meet program-specific requirements. Applicants should submit a budget which outlines how much is allocated in order to meet each of the specific program needs (i.e., training, site visits, staffing).
- b. Applicants should submit a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Included in their

- budgets, applicants should propose a reasonable amount to respond to field requests for assistance.
- c. Ensure adequate funds are included to support proposed activities per the solicitation, including needed travel and staff to oversee the core management of the project with BJA and in coordination with partners.
  - d. Budget narratives should generally demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should also demonstrate cost effectiveness in relation to potential alternatives and the goals of the project<sup>8</sup>

### **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.
- 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.”

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 internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. 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

---

<sup>8</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.

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 \$250,000 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, [FAPIS]).

### **Important note on FAPIS**

An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIS, 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.
2. 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, 2019. 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 a physical

signature on the award document by the authorized representative. The fully executed award document must then be scanned and submitted 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 (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 <https://ojp.gov/funding/index.htm>. 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.)

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility 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 2019. 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.

As stated above, BJA expects that it will make any award under this solicitation in the form of a cooperative agreement. Cooperative agreements include a condition in the award document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient. OJP, however, may have substantial involvement in matters such as substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

In addition to an award condition that sets out the nature of the anticipated “substantial federal involvement” in the award, cooperative agreements awarded by OJP include an award condition that requires specific reporting in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award.

Awards under this solicitation will include a condition (the specific terms of which will govern the award) related to verification of employment eligibility. The condition will, generally speaking,

require the recipient (and any subrecipient) that accepts the award to verify the employment eligibility of any individual hired under the award, consonant with 8 U.S.C. § 1324a(a)(1).

Awards under this solicitation will include a condition (the specific terms of which will govern the award) related to competition requirements set forth at 2 C.F.R. § 200.319. The condition will, generally speaking, prohibit recipients (and any subrecipients) from procuring goods and services with award funds by means of any competition that disadvantages or excludes vendors on the basis of their having (or their having had) a prior or existing contractual relationship with the federal government.

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

In addition to the deliverables described in [Section A. Program Description](#), 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 <https://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. 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 <http://www.ojp.gov/performance> for an overview of performance measurement activities at OJP. Performance measures for this program are also listed as [Appendix B](#).

## **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](mailto: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 [ojpprsupport@usdoj.gov](mailto:ojpprsupport@usdoj.gov). (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 A: Application Checklist**  
*Justice For All Act:*  
*Effective Administration of Criminal Justice*  
*Training and Technical Assistance Program*

This application checklist has been created as an aid in developing an application.

**What an Applicant Should Do:**

*Prior to Registering in Grants.gov:*

\_\_\_\_\_ Acquire a DUNS Number (see page 28)

\_\_\_\_\_ Acquire or renew registration with SAM (see page 29)

*To Register with Grants.gov:*

\_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 29)

\_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 29)

*To Find Funding Opportunity:*

\_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 29)

\_\_\_\_\_ Select the correct Competition ID (see page 29)

\_\_\_\_\_ Access Funding Opportunity and Application Package (see page 30)

\_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 27)

\_\_\_\_\_ 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](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 13)

*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 30)

*If No Grants.gov Receipt, and Validation or Error Notifications are Received:*

\_\_\_\_\_ contact NCJRS regarding experiencing technical difficulties (see 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 of \$1,500,000

**Eligibility Requirement:** Eligible applicants are limited to any national nonprofit organization, for-profit (commercial) organization (including tribal nonprofit or for-profit organizations), or institution of higher learning (including tribal institutions of higher education) that have expertise and experience in managing training and technical assistance for evidence-based criminal justice programs. In addition, the applicant must show the capacity to provide technical expertise in implementing action research partnerships between criminal justice researchers

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

**What an Application Should Include:**

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 14)
- \_\_\_\_\_ Project Abstract (see page 15)
- \_\_\_\_\_ Program Narrative (see page 15)
- \_\_\_\_\_ Budget Detail Worksheet (see page 17)
- \_\_\_\_\_ Budget Narrative (see page 17)
- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 20)
- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 20)
- \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 21)
- \_\_\_\_\_ [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see page 21)
- \_\_\_\_\_ Additional Attachments
  - \_\_\_\_\_ Project Timeline (see page 22)
  - \_\_\_\_\_ Résumés of Key Personnel (see page 22)
  - \_\_\_\_\_ Memoranda of Understanding/Letters of Support (see page 22)
  - \_\_\_\_\_ Applicant Disclosure of Proposed Recipients (see page 22)
  - \_\_\_\_\_ Applicant Disclosure of Pending Applications (see page 22)
  - \_\_\_\_\_ Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see page 23)
  - \_\_\_\_\_ Research and Evaluation Independence and Integrity (see page 24)
  - \_\_\_\_\_ Disclosure of Process related to Executive Compensation (see page 26)
- \_\_\_\_\_ Request and Justification for Employee Compensation; Waiver (if applicable) (see page 12)

## Appendix B: Performance Measures Table

Objectives	Performance Measure	Data Grantee Provides
Objective 1: Support the development of training tools to for criminal justice stakeholders to develop, implement, and enhance statewide strategic planning and the provisions of the Sixth Amendment.	Number of trainings conducted	Number of trainings (by type): <ul style="list-style-type: none"> <li>• In-person</li> <li>• Web-based</li> <li>• CD/DVD</li> <li>• Peer-to-peer</li> <li>• Workshop</li> </ul>
	Number of participants who attended the training	Number of individuals who: <ul style="list-style-type: none"> <li>• Attended the training (in-person) or started the training (web-based)</li> <li>• Completed the training</li> <li>• Completed an evaluation at the conclusion of the training</li> <li>• Completed an evaluation and rated the training as satisfactory or better</li> <li>• Completed the post-test with an improved score over their pre-test</li> </ul>
	Percentage of participants who successfully completed the training	
	Percentage of participants who rated the training as satisfactory or better	
	Percentage of participants trained who subsequently demonstrated performance improvement	
Percentage of scholarship recipients surveyed who reported that the training provided information that could be utilized in their job	Number of individuals who: <ul style="list-style-type: none"> <li>• Received a scholarship</li> <li>• Completed the training</li> <li>• Completed a survey at the conclusion of the training</li> <li>• Reported the training provided</li> </ul>	

Objectives	Performance Measure	Data Grantee Provides
		information that could be utilized in their job
	Number of curricula developed	Number of training curricula: <ul style="list-style-type: none"> <li>• Developed</li> <li>• Pilot tested</li> <li>• Revised after being pilot tested</li> </ul>
	Number of curricula that were pilot tested	
	Percentage of curricula that were revised after pilot testing	
Objective 2: Support the development, implementation, and enhancement of strategic plans and programs to align with the provisions of the Sixth Amendment through short-term and comprehensive technical assistance.	Percentage of requesting agencies that rated services as satisfactory or better	<ul style="list-style-type: none"> <li>• Number of onsite visits completed</li> <li>• Number of reports submitted to requesting agencies after onsite visits</li> <li>• Number of requesting agencies that completed an evaluation of services</li> <li>• Number of agencies that rated the services as satisfactory or better (in terms of timeliness and quality)</li> <li>• Number of follow-ups with requesting agencies completed 6 months after onsite visit</li> <li>• Number of agencies that were planning to implement at least one or more recommendations 6 months after the onsite visit</li> </ul>
	Percentage of requesting agencies that were planning to implement one or more recommendations	
	Percentage of peer visitors who reported that the visit to the other agency was useful in providing information on policies or practices	<ul style="list-style-type: none"> <li>• Number of peer-to-peer visits completed</li> <li>• Number of peer visitors who completed an evaluation</li> <li>• Number of peer visitors who reported that the visit was</li> </ul>
	Percentage of peer visitors who were	

Objectives	Performance Measure	Data Grantee Provides
	planning to implement one or more policies or practices 6 months after they were observed at the visited site	<p>useful in providing information on policies or practices</p> <ul style="list-style-type: none"> <li>• Number of follow-ups with the requesting peer visitor completed 6 months after the peer-to-peer visit</li> <li>• Number of peer visitors who were planning to implement at least one or more recommendations 6 months after the onsite visit</li> </ul>
	Percentage of requesting agencies of other onsite services that rated the services provided as satisfactory or better	<ul style="list-style-type: none"> <li>• Number of other onsite services provided</li> <li>• Number of requesting agencies that completed an evaluation of other onsite services</li> <li>• Number of agencies that rated the services as satisfactory or better</li> </ul>
Objective 3: Increase information and resources shared with the criminal justice community on strategic planning and Sixth Amendment provisions.	Number of conferences or advisory/focus groups held	<ul style="list-style-type: none"> <li>• Number of conferences or advisory/focus groups held</li> </ul>
	Percentage of advisory/focus groups evaluated as satisfactory or better	<ul style="list-style-type: none"> <li>• Number of conference or advisory/focus group attendees who completed an evaluation</li> <li>• Number of conference or advisory/focus group attendees who rated the advisory/focus group as satisfactory or better</li> </ul>
	Number of publications developed	<ul style="list-style-type: none"> <li>• Number of publications/resources developed</li> </ul>
	Number of publications disseminated	

Objectives	Performance Measure	Data Grantee Provides
		<ul style="list-style-type: none"> <li>• Number of publications/ resources disseminated</li> </ul>
	Percentage of websites developed and maintained	<ul style="list-style-type: none"> <li>• Number of websites developed</li> <li>• Number of websites maintained</li> </ul>
	Percentage increase in the number of visits to websites	<ul style="list-style-type: none"> <li>• Number of visits to websites during the current reporting period</li> <li>• Number of visits to websites during the previous reporting period</li> </ul>
	Percentage of information requests responded to	<ul style="list-style-type: none"> <li>• Number of information requests</li> <li>• Number of information requests responded to</li> </ul>