

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



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications to design and field the National Survey of Prosecutors, 2019. As the primary source for criminal justice statistics in the United States, BJS is responsible for collecting, analyzing, publishing, and disseminating statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This program furthers the Department's mission by describing the work of prosecutors' offices, strategies employed by those offices to address different priorities, and changes to the prosecution of crime over time. This program further addresses the Attorney General's priorities of examining how prosecutors charge and handle violent crime and crimes relating to the opioid crisis.

## **National Survey of Prosecutors, 2019 (NSP19)**

### **Applications Due: July 9, 2018**

#### **Eligibility**

Eligible applicants are national, regional, state, or local public and private entities, including for-profit and nonprofit organizations (including tribal for-profit and nonprofit organizations), faith-based and community organizations, institutions of higher education (including tribal institutions of higher education), federally recognized Indian tribal governments (as determined by the Secretary of the Interior), and units of local government that support initiatives to improve the functioning of the criminal justice system.

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

BJS welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed 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 program.

#### **Deadline**

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on July 9, 2018.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that

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

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 BJS 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 other requirements of this solicitation, contact Suzanne Strong, BJS Statistician, by telephone at (202) 307-0765, or by email at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include “NSP19” in the subject line.

Grants.gov number assigned to this solicitation: BJS-2018-14501

Release date: May 24, 2018

# Contents

A. Program Description .....	4
Overview .....	4
Program-Specific Information .....	4
Goals, Objectives, and Deliverables .....	4
Information Regarding Potential Evaluation of Programs and Activities.....	8
B. Federal Award Information.....	9
Type of Award.....	9
Financial Management and System of Internal Controls.....	9
Budget Information.....	11
Cost Sharing or Matching Requirement.....	11
Pre-agreement Costs (also known as Pre-award Costs) .....	11
Limitation on Use of Award Funds for Employee Compensation; Waiver .....	11
Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs .....	12
Costs Associated with Language Assistance (if applicable) .....	12
C. Eligibility Information.....	12
D. Application and Submission Information .....	13
What an Application Should Include .....	13
How To Apply.....	26
E. Application Review Information.....	30
Review Criteria.....	30
Review Process .....	31
F. Federal Award Administration Information .....	33
Federal Award Notices .....	33
Administrative, National Policy, and Other Legal Requirements .....	33
General Information about Post-Federal Award Reporting Requirements .....	34
G. Federal Awarding Agency Contact(s) .....	34
H. Other Information.....	35
Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).....	35
Provide Feedback to OJP .....	35
Appendix A: Performance Measures Table .....	36
Appendix B: Application Checklist .....	38

# National Survey of Prosecutors, 2019 (NSP19) (CFDA # 16.734)

## A. Program Description

### Overview

Under 34 U.S.C. § 10132 (c)(4), the Bureau of Justice Statistics (BJS) is authorized to “collect and analyze statistical information, concerning the operations of the criminal justice system at the federal, state, tribal, and local levels”. To support this goal, BJS has conducted prior surveys of prosecutors and will update that collection with this solicitation. The National Survey of Prosecutors, 2019 (NSP19), will focus on the administration of state court prosecution activities. The survey will update basic information, including office size, types of staff and resources, and emerging issues important to the Attorney General’s priorities, such as the prosecution of violent crime, human trafficking, cybercrime, and responses to the opioid crisis. The survey will also collect information on new topics areas, to include problem-solving courts, prosecutorial diversion, processing of forensic evidence, plea bargains, and trials.

There are more than 2,300 prosecutors’ offices that handle felony cases in state courts of general jurisdiction in the United States. The recipient of funds will verify and update the sampling frame, design a sampling strategy, design a survey of state prosecutors’ offices, convene at least one meeting of a panel of experts to review the survey instrument and survey contact strategies, and submit the sampling plan and survey to BJS. After approval, the team will field the survey, collect, clean, and deliver data to BJS, and work with BJS to analyze and report the data.

**Statutory Authority:** Under section 302 of the Omnibus Crime Control and Safe Streets Act, BJS is authorized to “collect and analyze statistical information, concerning the operations of the criminal justice system at the federal, state, tribal, and local levels. BJS is authorized to issue this solicitation under 34 U.S.C. § 10132.

### Program-Specific Information

The NSP19 will collect information from a sample of approximately 750 prosecutors’ offices that handle felony cases in state courts of general jurisdiction. BJS estimates that a response rate of 90% or higher should generate estimates with an acceptable amount of error. BJS has collected data from state court prosecutors since 1990. The recipient of funds will use data collected in the NSP19 to examine trends over time with previously collected data and provide insight into emerging issues in prosecution. In the past, NSP has collected information about the number of prosecuting attorneys, type of support staff, types of non-felony cases handled, and the number of juveniles waived to or directly filed in adult criminal courts. The NSP has been fielded as a both a census and a sample, and this solicitation requests the applicant to develop and recommend an appropriate nationally representative sampling plan. Applicants are strongly encouraged to [review prior data sets, questionnaires, and reports](#).

### Goals, Objectives, and Deliverables

This program aims to design a survey instrument and administer it to a sample of prosecutors’ offices to generate statistically sound, nationally representative statistics that describe the work of prosecutors in the United States. The specific objectives include—

- develop a draft questionnaire that addresses current issues in prosecution and items to track trends over time, consistent with prior collections
- develop a marketing and contact strategy to encourage high response rates
- convene an expert panel to review the questionnaire and marketing strategy and address any deficiencies
- cognitively test the instrument
- verify and update the sampling frame developed for the 2007 NSP census
- work with BJS to develop a sampling plan that includes prosecutor office stratification consistent with past NSP efforts, along with a plan for nonresponse bias assessment, imputation, and weighting to yield national estimates of prosecutor office attributes and activities
- conduct the data collection and nonresponse follow-up
- implement a suitable and approved data assessment and cleaning program
- deliver final data sets to BJS, including an analysis file and an archive-ready file
- provide analytic support for the BJS report

### *Deliverables*

1. **Attend a kickoff meeting and develop a final time/task plan (Deliverable 1, due within 1 month of award).** A kickoff meeting will be held at BJS's offices in Washington, DC within the first month of the project period. During the meeting, project staff will review all phases of the work and finalize a comprehensive timeline and task plan. Within 2 weeks of the kickoff meeting, the recipient of funds will deliver a revised time/task plan to BJS reflecting all decisions made at the kickoff meeting. The revised timeline and task plan will build on the one presented in the application and will reflect (1) any changes to the project's goals, objectives, and deliverables that may have developed since the application was written; and (2) any revisions to the proposed work plan that may have occurred in the period between the application and the award of the cooperative agreement. The revised timeline and task plan is a starting point for this cooperative agreement. The timeline and task plan will likely be revised several times throughout the project period as conditions change and knowledge is gained. At this kickoff meeting, the recipient of funds and BJS will also schedule biweekly teleconferences to discuss project progress.
2. **Assemble a panel of experts (Deliverable 2, due within 3 months of award).** With BJS input and approval, the recipient of funds will develop a panel of experts separate from the project team. The panel will consist of 12 to 15 persons who are knowledgeable in the field of prosecution or persons with survey and sampling expertise. They will review the survey instrument, marketing, and contact strategies for completeness. The applicant will be asked to identify (1) specific persons, associations, or organizations; or (2) types of persons, associations, or organizations to be included on the expert panel. BJS will work with the recipient to finalize the list of panel members and will have final approval of the list.

The application should include costs for one in-person meeting of the expert panel. BJS realizes that the exact cost of convening the panel will depend in part on the meeting location, the size of the panel, and where the panel members reside. Applicants should specify their assumptions regarding the meeting location; size of panel; and travel, lodging, and per diems for panel members when budgeting for the expert panel meeting.

Applicants should not include any monies for honorariums or additional payments to compensate meeting attendees.

- 3. Prepare a draft survey instrument and supporting documents (Deliverable 3, due within 5 months of award).** The recipient of funds will have persons familiar with prosecution offices as part of the team. These persons should be drawn from the field or from professional organizations that support the work of prosecutors, and be familiar with current prosecution priorities and strategies. The recipient of funds will (1) draft a questionnaire, assuming an online web-based survey mode with a cost analysis (e.g., cost of developing, updating, and maintaining a secure web portal for the survey); (2) outline how access to the portal will be controlled and how data will be extracted from the online survey; and (3) deliver the draft questionnaire and supporting outlines to BJS for comment and review.
- 4. Prepare a survey marketing and contact strategy (Deliverable 4, due within 5 months of award).** The recipient of funds will simultaneously develop a survey marketing and contact strategy to encourage a high response rate. The plan will include outreach strategies, method and timing of contacts, potential involvement of professional membership groups to promote the survey, prompts for nonresponders, and nonresponse bias analysis, if necessary.
- 5. Convene the expert panel to review the survey instrument and marketing and contact strategy (Deliverable 5, due within 8 months of award).** The meeting should be for one full day, and the panel will review the survey instrument, survey mode, marketing plan, and contact strategies. The panel will provide feedback, which will be incorporated into the final drafts of the questionnaire and survey contact strategy. The recipient of funds will arrange the meeting, coordinate travel and lodging for the panel participants, and follow all required conference cost planning and reporting.
- 6. Develop a secure web portal through which respondents can complete the 2019 NSP.** The recipient of funds will develop a secure web portal for the administration of the survey. At a minimum, the web tool should—
  - be designed with a user-friendly interface that minimizes respondent burden and provides simple modes of data submission. This includes less than a 2-second response time and supports the expected load of concurrent users.
  - be designed to work with Internet Explorer, Firefox, Safari, and Chrome browsers.
  - provide respondents with clear and understandable instructions and descriptions of the key content areas of the survey.
  - allow respondents to download a copy of the paper version for reference.
  - allow respondents to easily save their progress and return to where they left off in subsequent visits.
  - provide respondents with a summary of their answers to verify before final submission, which they can also save for their own records.
  - be able to easily export all data elements in Excel and CSV format
  - be able to provide biweekly preliminary data files (in Excel or CSV) to track overall unit and item response rates and performance of questions.
  - enhance item response rate and internal validity of answers. For example, items listed with skip patterns should enforce skip pattern rules in the web form.
  - ensure privacy of submitted questionnaires per the Data Management plan. The web instrument should provide a means for secure and private sign-on for respondents.

The web-based tool will be the primary means for data submission, but the recipient of funds should also plan on respondents submitting data in other formats, such as by paper survey and phone. Staff may manually enter these responses provided by the respondents. In these cases, data should note how the original responses were received and who entered them. BJS will conduct testing for usability and internal consistency of the web survey. The recipient of funds should allow for at least 3 weeks of BJS testing.

The tested and complete webpage and fully programmed version of the survey will serve as **Deliverable 6, due within 10 months of award.**

7. **Cognitively test the instrument.** The recipient of funds will plan a cognitive test of the instrument and secure web portal. BJS and the recipient of funds will request generic clearance from the Office of Management and Budget (OMB) to test the revised survey instrument with up to 25 individuals. The generic OMB clearance request will serve as **Deliverable 7.** The cognitive test will assess (1) respondent comprehension of the items, (2) the usability of the web portal survey, and (3) whether the office maintains the records required to answer the survey questions in an easily accessible format. The cognitive test(s) will also assess the secure web application developed in Deliverable 6. The cognitive test will culminate in a cognitive test report (**Deliverable 8**) and the technical documentation of the online instrument (**Deliverable 9, all due within 12-14 months of award**).
8. **Finalize the survey instrument, marketing, and contact strategy.** After the expert panel meeting and cognitive test(s), the recipient of funds will develop a brief report outlining the survey marketing and contact plan and a revised survey instrument (**both the plan and survey will serve as Deliverable 10, due within 14-16 months of award**). The report and survey instrument should be delivered to BJS for review and comment.
9. **Develop a sampling plan with BJS to ensure that the survey will be nationally representative (Deliverable 11, due within 14-16 months of award).** At the beginning of the project, BJS will provide the recipient of funds with the list of more than 2,300 prosecutor offices included in the 2007 census. After requesting OMB generic clearance to contact the 2007 respondents, the recipient of funds will verify and update (as needed) the names, addresses, and appropriate contact information. The recipient of funds will provide the verified frame to BJS, along with a proposal for a nationally representative stratified sampling strategy capable of providing reliable statistics on prosecutor office caseloads, staffing, and relevant activities. On approval from BJS, the recipient of funds will draw the sample. BJS recommends that applicants budget for a sample size of approximately 750 offices.
10. **Develop required materials and supporting documents for OMB Paperwork Reduction Act (PRA) clearance.** Working with BJS, the recipient of funds will compile all necessary documents for submission to OMB for clearance, as required under the PRA. The full OMB package, including all supporting documents, will serve as **Deliverable 12, due within 16-18 months of award.**
11. **Field the survey using all marketing tools developed in deliverable 10, compile the data and deliver it to BJS.** The survey should use a multi-mode collection, with at least one option being electronic submission. The recipient of funds will prepare all

hardcopy and emailed survey supporting documents, including letters of introduction and support, reminder postcards, and the survey itself. The recipient of funds will prepare a dedicated email address and toll-free phone line to provide assistance to any respondent.

The recipient of funds will check the collected data for unit and item response on a weekly or biweekly basis and conduct any follow up for inconsistent item response with respondents in a timely manner. The recipient of funds will also track response rates after any nonresponse prompting to capture the effectiveness of the survey contact strategies. The recipient of funds will meet a 90% minimum expected response rate. If the response rate falls below 90%, and all actions to increase response rates have been implemented and failed, the recipient of funds will conduct a nonresponse bias analysis. At the conclusion of data collection, the recipient of funds will deliver an analysis file, along with all data documentation. This documentation includes, but is not limited to, a codebook with all variable names, labels, and values; any recoding implemented; methods for dealing with missing data (e.g., weighting or imputation methods, including flags for weighted or imputed variables); sample weights; variance estimation; and copies of program code used to generate any tables (**Deliverable 13, due within 28 months of award**). The applicant will also prepare an archive-ready file, which is the analysis file where all identifiers have been removed from the file (**Deliverable 14, due within 30 months of award**). All data collected by the recipient of funds should be delivered to BJS, allowing sufficient time for BJS review before the end of the program.

**12. Work with BJS to analyze, interpret, and disseminate the data.** BJS and the recipient of funds will work together to analyze, interpret, and report the data. The recipient of funds will adhere to BJS publication standards, to be provided prior to the reporting stage. The final report will be co-authored with BJS, tentatively titled *National Survey of Prosecutors, 2019* and will serve as **Deliverable 15, due within 36 months of award**.

Applicants should describe in the project narrative how data collected as part of the BJS-funded activities will be delivered to BJS, including in what format and at what anticipated frequency. Upon award, award recipients will be required to, following consultation with and direction by the BJS Program Manager, provide the specific data structure documentation to BJS as a final deliverable. At minimum, the data documentation structure must include the expected names, formats, and allowable values for each data element. The data structure documentation is a required final deliverable and shall be subject to review and approval by BJS's Technology and Data Management Unit.

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.

### **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 OJP 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**

BJS expects to make up to one award of up to \$600,000. BJS expects to make an award for a 36-month period of performance, to begin on October 1, 2018.

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**

BJS 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>2</sup>) must, as described in the Part 200 Uniform Requirements<sup>3</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- (c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

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

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

- (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://ojpfgm.webfirst.com/>. (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.

### **Information System Security and Privacy Requirements**

BJS award recipients and subrecipients are required to facilitate the privacy, security, confidentiality, integrity, and availability of computer systems, networks, and data in accordance with applicable federal and DOJ policies, procedures, and guidelines. Recipients and subrecipients may not release or disclose any data collected on behalf of BJS without prior written approval from BJS, or until the dataset has been released to the public. This includes, but is not limited to, data used in presentations at professional conferences and meetings, press releases, and/or grant applications.

Recipients and subrecipients who operate as BJS data collection agents that collect, receive, handle, maintain, transfer, process, store, or disseminate directly identifiable information at BJS's direction must have and maintain the appropriate administrative, physical, and technical safeguards in place to ensure that information systems are adequately secured and protected against unauthorized disclosure.

Specifically, BJS data collection agents are required to, as applicable—

- Follow the [DOJ Information Technology Security Rules of Behavior for General Users](#), which pertain to the use, security, and acceptable level of risk for DOJ systems and applications
- Assess and secure information systems in accordance with [Federal Information Security Management Act \(FISMA\)](#) (P.L. 107-347), which appears as Title III of the [E-Government Act of 2002](#) (P.L. 107-347)
- Adhere to [National Institute of Standards and Technology \(NIST\)](#) guidelines to categorize the sensitivity of all data collected or maintained on behalf of BJS
- Once the system has been categorized, secure data in accordance with the Risk Management Framework specified in [NIST SP 800-37 Rev. 1](#)
- Employ adequate controls to ensure data are not comingled with any other dataset or product without the express written consent of BJS
- Reduce the volume of directly identifiable information collected, used, or retained to the minimum necessary

- Limit access to identifiable data to only those individuals who must have such access
- Limit use of identifiable data to only the purposes for which it was approved
- Log all computer-readable data extracts from databases holding sensitive information and ensure each extract including sensitive data has been erased within 90 days or its use is still required
- Ensure all contracts involving the processing and storage of personally identifiable information comply with DOJ policies on remote access and security incident reporting
- Complete data security and confidentiality trainings
- Employ formal sanctions for anyone failing to comply with DOJ policy and procedures, in accordance with applicable laws and regulations.

Applicants are advised that OJP may audit the FISMA-defined information systems used by award recipients during the performance period to assess compliance with federal laws and regulations related to data management and security.

## **Budget Information**

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

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

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>4</sup> The 2018 salary table for

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

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/18Tables/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 Director of BJS 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 BJS will require the applicant to adjust and resubmit the budget.

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

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

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

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

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

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

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

## **C. Eligibility Information**

For eligibility information, see the title page.

For information on cost sharing or matching 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 BJS has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative, and résumés/curriculum vitae of key personnel.

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

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

Please review the “Note on File Names and File Types” under [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, these 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 less. The abstracts may be submitted as Adobe Portable Format (PDF) or Microsoft Word files. Project abstracts should be—

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

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

## 3. Program Narrative

The program narrative should not exceed 30 double-spaced pages, using a standard 12-point font (Times New Roman preferred), with one-inch margins. Pages should be numbered. The page limit includes tables and figures within the narrative. The project abstract, table of contents, appendices, and government forms do not count toward the 30-page limit.

If the program narrative fails to comply with these length-related restrictions, BJS may consider such noncompliance in peer review and in final award decisions. The applicant should refer to the [Goals, Objectives, and Deliverables](#) section for guidance.

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

- a. Statement of the Problem

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

- b. Project Design and Implementation
- 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 goals, objectives, and deliverables identified under "Goals, 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.

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

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

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

Appendices (not counted against the 30-page program narrative limit) include—

- Bibliography or references.
- Any tools, instruments, tables, charts, or graphs pertaining to the proposed project that are supplemental to such items included in the main body of the narrative.
- Curriculum vitae or résumés of the principal investigator and any and all co-principal investigators. In addition, curriculum vitae, résumés or biographical sketches of individuals (regardless of investigator status) who will be significantly involved in substantive aspects of the proposal (including individuals such as research methodologists serving as consultants to develop sampling strategies; data experts familiar with prosecutor offices or emerging issues in prosecution).
- List (to the extent known) of all proposed project staff members, including those affiliated with the applicant organization or any proposed subrecipient organization(s), any proposed consultant(s) and contractors (whether individuals or organizations), and any proposed members of the expert panel. The list should include, for each individual and organization: name, title (if applicable), employer or other organizational affiliation, and roles and responsibilities

proposed for the project. For the expert panel, the persons do not need to be identified by name, but the types of persons or organizations should be included.

- A detailed proposed project timeline with expected milestones and level of staff effort for each phase of work.
- List of any previous and current BJS awards to applicant organization and investigator(s), including the BJS-assigned award numbers and a brief description of any scholarly products that resulted in whole or in part from work funded under the BJS award(s).
- Letters of cooperation/support or administrative agreements from organizations collaborating in the project, such as universities, prosecutors, professional prosecutor organizations, or other membership groups.
- List of other agencies, organizations, or funding source to which this proposal has been submitted (if applicable).

#### **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 goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

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

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

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

Whether an action – for federal grants administrative purposes – is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply – many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The

rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <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 \$150,000)**

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

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

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

### **d. Pre-Agreement Costs**

For information on pre-agreement costs, see [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.

An applicant unable to submit an application that includes a fully executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe’s governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect

to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully executed legal documentation.

## **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. A Privacy Certificate and Human Subjects Protection Certification of Compliance must be completed for each project proposed in an application.

- **Privacy Certification.** The Privacy Certificate is a funding recipient’s certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient’s Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable information. Applicants must specify in the Privacy Certificate the specific controls used to safeguard directly identifiable information against unauthorized disclosure. All project staff, including information technology personnel, subcontractors, and/or consultants, with access to identifiable data collected in conjunction with the BJS-funded activities are required to sign a Privacy Certificate to affirm their understanding of an agreement to comply with the terms of access and privacy requirements. Award recipients are responsible for maintaining an updated list of individuals with access to identifiable information and for ensuring that new staff who gain access to such information during the project period sign a Privacy Certificate. A model certificate is located at <https://www.bjs.gov/content/pub/pdf/bjsmpc.pdf>.
- **Human Subjects Protection Certification of Compliance.** BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, is located at <https://www.bjs.gov/content/hscr.cfm>.

### b. Applicant Disclosure of Pending Applications

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

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

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

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

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

**c. 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.

**d. 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 <https://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.

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

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, etc.). Please ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. Do not embed “mandatory” attachments within another file.

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

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]
Lower case (a – z)	Ampersand (&)*	Tilde (~)	Exclamation point (!)
Underscore ( _ )	Comma ( , )	Semicolon ( ; )	Apostrophe ( ‘ )
Hyphen ( - )	At sign ( @ )	Number sign ( # )	Dollar sign ( \$ )
Space	Percent sign ( % )	Plus sign ( + )	Equal sign ( = )
Period ( . )			

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

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

## Applying as an Individual

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

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

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at <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 in SAM.gov must provide an original, signed notarized letter stating that the applicant is the authorized Entity Administrator before the registration will be activated. To learn more about this process change, read the FAQs at <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/sam-update>. Information about the notarized letter is posted at [https://www.fsd.gov/fsd.gov/answer.do?sysparm\\_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm\\_search=kb0013183](https://www.fsd.gov/fsd.gov/answer.do?sysparm_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm_search=kb0013183).

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

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

Information about SAM registration procedures can be accessed at [www.SAM.gov](http://www.SAM.gov).

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username

and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to [www.grants.gov/web/grants/applicants/registration.html](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 16.734, titled "Special Data Collections and Statistical Studies," and the funding opportunity number is BJS-2018-14501.
6. **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.
7. **Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24-48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **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 July 9, 2018.

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 BJS 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 (15%)**

The application should demonstrate knowledge of the issues and information needs surrounding prosecutor offices and how this information could be used to inform policy decisions. The applicant should demonstrate familiarity with past BJS prosecutor collections and how the new collection will supplement prior data collections.

#### **2. Project Design and Implementation (35%)**

This work is intended to proceed in phases. Applicants should include descriptions about how each deliverable will be addressed and developed. In addition, the application should include (1) the criteria they will use to identify the expert panel members, (2) an understanding of the role of the expert panel, (3) their understanding of the information needs of prosecutors, (4) important items from previous BJS prosecutor data collections that can be used to track trends over time, and (5) new issues related to prosecution that could be documented with this fielding of the NSP. Applicants should address how they will develop the information in each deliverable and demonstrate their understanding of the content and goals of the deliverables. The applicant should propose a timeline and

task plan that address each major deliverable, the level of effort for key staff for that deliverable, and an estimated delivery date for each deliverable (this can be one of the appendices, but should be referenced in the narrative).

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

This work requires a team with knowledge of (1) the work of prosecutors, (2) how variation in state legislation and organizational structures at the state and local levels affect the work of prosecutors, and (3) survey and sampling experts. The applicant should discuss its ability to successfully complete the NSP. This can include descriptions of past work related to this topic and the relevant skills and experience of the proposed project staff. The applicant should provide a clear description of the project's management and organization that supports completion of the project's milestones within expressed time frames. The applicant should demonstrate the team's knowledge of prosecutors, including identifying relevant organizations, persons, and literature. Finally, the team should include persons capable of fielding a large survey, managing the data collection, completing any statistical weighting or imputation, and delivering complete data sets to BJS at the close of the project.

### **4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%)**

### **5. Budget (15%)**

Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budgets should be complete, cost-effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>6</sup> The budget should address all tasks and deliverables.

## **Review Process**

OJP is committed to ensuring a fair and open process for making awards. BJS 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."
- The applicant must not be identified in SAM as excluded from receiving federal awards.

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

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

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

In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, (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 Director of BJS, who may take into account not only peer review ratings, but also other factors as indicated in this section.

## F. Federal Award Administration Information

### Federal Award Notices

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

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

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

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes and regulations (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 recipient of funds 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 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, or 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, BJS 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.

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

## **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: Performance Measures Table

Objective	Performance Measure(s)	Data Recipient Provides
<p>Develop and administer the 2019 National Survey of Prosecutors (NPS19) capturing the work being done by prosecutors including emerging issues, crime trends, and new efforts and topics in prosecution</p>	<p>Number of deliverables completed on time, as determined by BJS</p> <p>Number of deliverables that meet expectations as defined by BJS</p> <p>On-time delivery of the data collection web portal that adhere to the specification and functions defined by BJS</p> <p>Effective management as measured by whether significant interim project milestones were achieved, final deadlines were met, and costs remained within approved limits</p>	<p>The recipient of funds should provide timely deliverables that meet the outlined expectations for survey development and testing, and contact and marketing strategies, deliverables include, but not limited to:</p> <ul style="list-style-type: none"> <li>a) Draft survey</li> <li>b) Draft contact and marketing plans</li> <li>c) Generic OMB clearance request to test survey</li> <li>d) Full Paperwork Reduction Act (PRA) from OMB</li> <li>e) Cognitive test and report</li> <li>f) Revised survey, contact, and marketing plans</li> <li>g) Sampling plan that meets BJS's approval</li> </ul> <p>Website deliverables include:</p> <ul style="list-style-type: none"> <li>a) dates web portal submitted for BJS testing</li> <li>b) dates web portal launched</li> <li>c) summary of the functions and capabilities of the website</li> <li>d) protocol of website testing</li> <li>e) web portal that meets BJS's Technology and Data Management Unit testing and specifications</li> </ul> <ul style="list-style-type: none"> <li>a) Complete documentation that data files meet BJS expectations for accuracy and completeness and that project tasks have been completed within the timeframe specified in the project period</li> <li>b) Quarterly progress reports reflecting activities in each area of the project</li> <li>c) Quarterly financial reports ensuring project funds are being used proportionately</li> <li>d) Routine biweekly meetings with BJS staff to review project progress</li> </ul>

Objective	Performance Measure(s)	Data Recipient Provides
	<p>Number of subject matter experts consulted to validate all materials developed</p> <p>Conduct the data collection</p> <p>Amount of outreach to stakeholders</p> <p>Achieve a 90% response rate</p>	<p>Convene Expert panel review to provide subject expert matter advice on emerging trends in the field; panel review plan including list of subject matter experts for review and plans for subject matter expert outreach and communication; and expert panel review report summarizing panel input, suggestions for the instrument, and other relevant discussion</p> <p>Conduct the data collection, implementing the contact plan and marketing strategies as described in the solicitation and approved by BJS</p> <p>Provide a) Plan outlining procedures for contacting respondents; b) follow-up addressing plans for outreach to stakeholders; c) documentation of outreach actually conducted</p> <p>Provide documentation of 1) data processing procedures, 2) data quality tracking and follow-up procedures, and 3) unit- and item-nonresponse follow-up procedures</p>
<p>Examine trends over time with previously collected data and provide insight into emerging issues in prosecution</p>	<p>Analyze and report the data</p> <p>Number of deliverables completed on time, as determined by BJS</p> <p>Number of deliverables that meet expectations as defined by BJS</p>	<p>Analyze and co-author a BJS report of the data collected that meets BJS publication standards</p> <p>The recipient of funds should provide timely deliverables that meet the expectations outlined in the solicitation, to include, but not limited to-:</p> <ul style="list-style-type: none"> <li>a) Complete a final project report, summarizing the project and any recommendations for future iterations of the NSP</li> <li>b) Complete a final financial report, outlining monies spent and any recommendations</li> <li>c) Data documentation, including data mapping, subject to review and approval from BJS's Technology and Data Management Unit, including an analysis file and documentation and an archive file and documentation</li> <li>d) BJS co-authored report for the NSP19</li> </ul>

## Appendix B: Application Checklist

### National Survey of Prosecutors, 2019 (NSP19)

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 28)

##### *To Register with Grants.gov:*

- Acquire AOR and Grants.gov Username/Password (see page 28)
- 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)
- Access Funding Opportunity and Application Package (see page 29)
- Sign Up for Grants.gov Email [Notifications](#) (optional) (see page 26)
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP Policy and Guidance on Conference Approval, Planning, and Reporting Available at <http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm> (see page 12)

##### *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 29)

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

- Contact BJS Regarding Technical Difficulties (see page 29)

#### Overview of Post-Award Legal Requirements:

- Review the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>

#### Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$600,000

**Eligibility Requirement:** See the title page

#### What an Application Should Include:

- Application for Federal Assistance (SF-424) (see page 13)
- Project Abstract (see page 14)
- Program Narrative (see page 14)
- Appendices (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)
_____	<a href="#">Disclosure of Lobbying Activities (SF-LLL)</a>	(see page 21)
_____	Additional Attachments	
_____	Privacy Certification	(see page 22)
_____	Human Subjects Protection Certification of Compliance	(see page 22)
_____	Applicant Disclosure of Pending Applications	(see page 22)
_____	Research and Evaluation Independence and Integrity	(see page 23)
_____	Disclosure of Process Related to Executive Compensation	(see page 25)
_____	Request and Justification for Employee Compensation; Waiver	(see page 11)