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RECOVERY ACT



The <u>U.S. Department of Justice</u>, <u>Office of Justice Programs</u> (OJP), [insert name of bureau/program office, with hyperlink] is pleased to announce that it is seeking applications for funding under the Recovery Act [insert program name] program.

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

The vast majority of funds provided to DOJ under the Recovery Act were awarded in Fiscal Year (FY) 2009. Under this solicitation, [insert bureau/program office] will be making FY 2010 Recovery Act awards for [insert project specific purpose(s)].

Recovery Act - Announcement Title

Eligibility

Applicants are limited to [insert general statement of eligibility in accordance with program authority and/or policy (identifies entities generally eligible to apply in response to this solicitation). The content and formatting of this section may differ for each agency or announcement; however, this section **must** reflect statutory eligibility requirements. If the eligibility statement includes "units of local government," include as a parenthetical "(including federally-recognized Indian tribal governments as determined by the Secretary of the Interior and published in the Federal Register)." If it includes non-profit and/or profit organizations, include as a parenthetical "(including tribal organizations)." If it includes institutions of higher education, include as a parenthetical "(including tribal institutions of higher education)."]

Deadline

Registration with [Select <u>Grants.gov</u> or Office of Justice Program's <u>Grants Management</u> is required prior to application submission. (See "How to Apply", page [insert page number].).

All applications are due by *[insert time]* p.m. Eastern Time on *[insert date]*, 20[*insert year*]. (See "Deadlines: Registration and Application", page *[insert page number]*.

Important Note to Prospective Applicants

This solicitation is issued pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), which was signed into law by President Obama on February 17, 2009.

Applicants are strongly advised to check www.ojp.usdoj.gov/recovery/solicitationrequirements.htm, www.ojp.usdoj.gov/recovery,

www.whitehouse.gov/omb/recovery_default, and www.Recovery.gov periodically (including before submitting an application) for updates to this solicitation and its associated requirements. Additional information may become available that could affect project proposal narratives, timelines, budget requests, certifications, recipient reporting requirements and other matters related to applications.

Award recipients will be required to follow any applicable provisions of government-wide guidance that has been or may be issued pursuant to the Recovery Act. DOJ/OJP Guidance already issued is available at www.ojp.usdoj.gov/recovery/. Office of Management and Budget (OMB) guidance is available at www.whitehouse.gov/omb/recovery_default.

Contact Information

This application must be submitted through [Insert Grants.gov or OJP's GMS].

For technical assistance with submitting the application, contact [Select either the Grants.gov Customer Support Hotline at 1–800–518–4726 or via email to support@grants.gov or the Grants Management System Support Hotline at 1-888-549-9901, option 3 or via email to GMSHelpDesk@usdoi.gov.]

Note: The [Select either <u>Grants.gov</u> or <u>GMS</u>] Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. Eastern Time.

For assistance with any other requirement of this solicitation, contact [insert name of grant or program manager], [insert title], at [insert phone number] or by email [insert email address]. [If a bureau/program office has an email account or designated 1-800 number, such as askJAG@usdoj.gov, include in this section. If response times have been established, such as "within 24 hours," include as well.]

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Overview

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") [and by _______.] [Insert reference to specific authorizing legislation, if applicable.]

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

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

[In roughly 100 words, describe the purpose of the solicitation. You might state the crime problem or issue you want addressed, the program, or the reasons you are issuing this solicitation.]

[For Grants.gov]:

Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is [insert time] Eastern Time on [insert due date]. Please see the "How to Apply" section, page [insert page number] for more details.

[For GMS. For a competitive solicitation, it is recommended to have the same registration and due date.]:

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is *[insert time]* Eastern Time on *[insert due date]* and the deadline for applying for funding under this announcement is *[insert time]* Eastern Time on *[insert due date]*. Please see the "How to Apply" section, page *[insert page number]*, for more details.

Eligibility

Please refer to page X for eligibility under this program.

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

Reporting on the Use of Funds. In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act, which requires detailed reporting (including reporting on subawards) not later than **ten calendar days after the end of each calendar quarter**. Information on section 1512(c) appears below, under "Accountability and Transparency under the Recovery Act." A template for the certification is included in the appendix. (Instructions and guidance regarding section 1512 (c) reports can be found on www.FederalReporting.gov, on OJP's Recovery Act web page www.ojp.gov/recovery/recipientreporting.htm, and OMB's Recovery Act web page www.whitehouse.gov/omb/recovery_default).

[Insert if program makes formula funds available to States]

<u>Funding Distribution and Appropriate Use of Funds</u>. Section 1607 of the Recovery Act requires either a certification by the Governor or a concurrent resolution of the State legislature concerning funds distribution and assurance of appropriate use of funds. States may not receive funds under this Recovery Act solicitation unless section 1607 is satisfied. Every governor has submitted the required certification. (Refer to the OJP Recovery Act Additional Requirements webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm for the text of section 1607 and the Recovery.gov web page listing the certifications www.recovery.gov/Transparency/info/Pages/stateandterritory.aspx.)

[Insert if program makes funds available to States or units of local government (including tribal governments) for infrastructure investment]

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

Consistent with section 1511, **all** applicants under this solicitation must complete a "General Certification as to Requirements for Receipt of Funds for Infrastructure Investments." A template for this certification is included in the appendix. Recipients that are awarded funds for one or more infrastructure investment projects also must submit and post a certification that satisfies section 1511 as to each such specific project prior to obligating, expending, or drawing down funds for such a project. Applicants or recipients that intend to prepare a section 1511

certification should consult the OJP Recovery Act Additional Requirements webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

[Insert Program-/Project-] Specific Information

[All solicitations should include the following statement:]

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

[More detailed information on what is sought in this program or project should appear here. The content and format of the information provided in this section should be customized to the announcement by the agency. However, at a minimum, information on the following should be included, if applicable to the announcement:]

Detailed information on the purpose of the grant program

[Please include, as appropriate, expected public benefits related to the goals and objectives of the Recovery Act.]

Goals, objectives, and deliverables

Amount and Length of Awards

[Please include general guidance on the expected awards (such as expected ranges for grant amounts, anticipated lengths of grant periods); and on funding information for each particular announcement (e.g., total amount available, if known).]

[For formula programs, discuss formula and bases for award amounts. Reference attachments or webpage, if applicable.]

Budget Information

[Information outlined in this section will vary by announcement. If applicable, permissible and/or impermissible uses of funds set by statute should be stated, as should specific supplanting restrictions, **if** set by statute. The limitation on the Use of Award Funds for Employee compensation; Waiver is required in all OJP announcements for discretionary (i.e. non-formula) programs.]

Limitation on Use of Award Funds for Employee Compensation; Waiver: No portion of any award of more than \$250,000 made under this solicitation may be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2009 salary table for SES employees is available at http://www.opm.gov/oca/09tables/indexSES.asp.) [Update link when 2010 table becomes

available.] Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for the Office of Justice Programs. [For solicitations related to research and statistics, delete "Assistant Attorney General (AAG) for the Office of Justice Programs," and insert, as applicable, "Director of the National Institute of Justice," "Director of the Bureau of Justice Statistics," or "Administrator of the Office of Juvenile Justice and Delinquency Prevention."] An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget accordingly.

[Refer here to the OJP Financial Guide as to what a justification should include, once the Financial Guide is revised on this point. Until the revision is made, the following sentences may be added on an **optional** basis.] The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

Match Requirement: [If a match is required, an explanation of that requirement should appear in this section and should be highlighted with a bold subheading. At present time, it appears to OJP Office of General Counsel that the only OJP Recovery Act program that requires a match is the construction of jails in tribal lands pursuant to VOI/TIS. The following language should be used for tribal construction program.]

Match Requirement (cash or in-kind)

Federal funds awarded under this program may not cover more than 90 percent of the total costs of the project being funded. The applicant must identify the source of the 10 percent non-federal portion of the total project cost and how match funds will be used. (Match is restricted to the same uses as allowed for federal funds. Applicants may satisfy this match requirement with either cash or in-kind services. The formula for calculating the match is:

<u>Federal Award Amount</u> = Adjusted (Total) Project Costs Federal Share Percentage

Required Recipient's Share Percentage x Adjusted Project Costs = Required Match

Example: 90%/10% match requirement For a federal award amount of \$350,000, match would be calculated as follows:

[For programs to which non-supplanting does not apply]

Non-Supplanting: For purposes of this Recovery Act solicitation, the general non-supplanting requirement of the OJP Financial Guide (Part II, Chapter 3) does not apply.

[For programs to which non-supplant requirement does apply]

Non-supplanting: Federal funds must be used to supplement existing state and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See generally the <u>OJP Financial Guide</u> (Part II, Chapter 3). Additional program-specific information appears on the "OJP Recovery Act Additional Requirements" webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm, and at www.ojp.usdoj.gov/recovery/supplantingguidance.htm.

[Include in solicitations for programs where funds may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work.]

Recovery Act: Buy American

All applicants that propose to use grant funds to construct, alter, maintain, or repair a public building or public work should be aware that the Recovery Act (in section 1605) contains a "Buy American" provision that applies to iron, steel, and manufactured goods, subject to certain exceptions. The provision is to be applied in a manner consistent with United States obligations under international agreements. For the text of section 1605, please refer to the "OJP Recovery Act Additional Requirements" webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

[Include in solicitations that permit construction or renovation].

Recovery Act: Wage Rate Requirements

All applicants should be aware that the Recovery Act contains a provision on wage rate requirements that concerns projects funded or assisted by Recovery Act funds that employ laborers and mechanics. See section 1606 of the Recovery Act, the text of which appears on the "OJP Recovery Act Additional Requirements" webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

[Include for programs that permit infrastructure investment]

Recovery Act: Preference for Quick-Start Activities

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

[Include for all solicitations:]

Recovery Act: Contracts

Generally speaking, the Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures.

Recovery Act: Limit on Funds

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

Agency name (e.g. Bureau of Justice Assistance)

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

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

Accountability and Transparency under the Recovery Act

Separate Tracking and Reporting of Recovery Act Funds and Outcomes

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

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

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

Quarterly Reporting Under Section 1512 (c) of the Recovery Act

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon OJP's standard reporting requirements for grants (which include quarterly financial status reports using Standard Form 425 and semi-annual progress reports). In particular, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days after the end of each calendar quarter. As of October 2009, the reports required by section 1512 (c) are to be submitted through www.FederalReporting.gov.

Reporting Periods for Section 1512 (c)	Due Dates
October – December	January 10
January – March	April 10
April – June	July 10
July – September	October 10

The information submitted in the section 1512(c) reports will be posted on www.Recovery.gov. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

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

Instructions and guidance regarding section 1512 (c) reports can be found on www.FederalReporting.gov, http://www.whitehouse.gov/omb/recovery_default/and on OJP's Recovery Act web page as it becomes available. For planning purposes, however, all applicants should be aware that the Recovery Act section 1512(c) provides as follows:

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

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

[Include if program permits subawards.]

Subawards under Recovery Act Grants

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

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

Reporting Fraud, Waste, Error, and Abuse

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

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

mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W.

Room 4706

Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

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

or hotline fax: (202) 616-9881

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

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

Performance Measures

[Information outlined in the chart will vary by announcement. Performance measures specific to each project/program will be inserted by the program office. Consideration should be given to the goals and objectives of the Recovery Act. Performance measure #1 is required. The remaining measures related to Recovery Act activities should be included in the chart as appropriate. The chart and the following statement on performance measures should be included in the announcement.]

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to "What An Application Must Include" (below), for additional information on applicant responsibilities for collecting and reporting data. Performance measures for this solicitation are as follows:

OBJECTIVE	CATALOG ID	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES_FOR 3-MONTH REPORTING PERIOD	DESCRIPTION OR METHODOLOGY
Recovery Act: Preserving and creating jobs and promoting economic recovery		[Required] Number of jobs created or retained (by type) resulting from Recovery Act funding.	"Reported to www.federalreporting.gov; see www.ojp.usdoj.gov/recover y/recipientreporting.htm for additional information."	Please see the guidance document entitled: <u>Calculating and Reporting</u> <u>Job Creation and Retention</u> <u>for Recipients of Recovery</u> <u>Act Funding from Office of</u> <u>Justice Programs (OJP)</u> , <u>Office on Violence Against</u> <u>Women (OVW)</u> , and Office <u>of Community Oriented</u> <u>Policing Services (COPS)</u>
		Percent of essential services maintained without disruption.	(TBD on a program basis)	(TBD on a program basis)
		Number of collaborative partnerships established to avoid reductions in essential services and duplication.	(TBD on a program basis)	(TBD on a program basis)
Drogram/ara		Percent of funds allocated to grantees implementing one or more evidence-based programs.	(TBD on a program basis)	(TBD on a program basis)
Program/pro- ject specific objectives				

Please select between the Grants.gov How to Apply and the GMS How to Apply section. Please delete the section that does not apply.]

How to Apply [For Grants.gov]

Applications will be submitted through <u>Grants.gov</u>. <u>Grants.gov</u> is a "one-stop storefront" that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at <u>www.grants.gov</u>. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**, Monday-Friday from 7:00

Agency name (e.g. Bureau of Justice Assistance)

a.m. to 9:00 p.m. Eastern Time. Registering with Grants.gov is a one-time process; however, processing delays may occur and it can take up to several weeks for first-time registrants to receive confirmation and a user password. The Office of Justice Programs highly recommends that applicants start the registration process as early as possible to prevent delays

All applicants are required to complete the following. [If you are not developing multiple categories, please delete step 6 and renumber].

in submitting an application package by the application deadline specified.

- 1. Acquire a DUNS Number. A DUNS number is required for Grants.gov registration. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at http://www.dunandbradstreet.com. Individuals are exempt from this requirement.
- 2. Acquire or Renew Registration with the Central Contractor Registration (CCR) Database. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov Username and Password. Complete your AOR profile on Grants.gov and create your username and password. You will need to use your organization's DUNS Number to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.isp.
- 4. Acquire Authorization for your AOR from the E-Business Point of Contact (E-Biz POC). The E-Biz POC at your organization must login to Grants.gov to confirm you as an AOR. Please note that there can be more than one AOR for your organization.
- 5. **Search for the Funding Opportunity on Grants.gov.** Please 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 [Insert CFDA number], titled "[Insert CFDA title]," and the funding opportunity number is [insert funding opportunity number]. [The CFDA title and solicitation title are not necessarily the same; please use the CFDA title in the space provided in this entry.]

- 6. **Select the Correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If you are applying to a solicitation with multiple Competition IDs, you must select the appropriate Competition ID for the intended purpose area of your application. The application will be peer reviewed according to the requirements of the purpose area under which it is submitted. [If you are not developing a solicitation with multiple categories, this may be deleted]
- 7. Submit an Application Addressing All of the Requirements Outlined in this Solicitation. Within 24-48 hours after submitting your electronic application, you should receive an email validation message from Grants.gov. The validation message will tell you whether the application has been received and validated or rejected, with an explanation. Important: You are urged to submit your application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). 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."

Experiencing Unforeseen Grants.gov Technical Issues

If you experience unforeseen Grants.gov technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact [insert bureau/program office] staff within **24 hours after the deadline** and request approval to submit your application. At that time, [insert bureau/program office] staff will require you to email the complete grant application, your DUNS number, and provide a Grants.gov Help Desk tracking number(s). After the program office reviews all of the information submitted as well as contacts the Grants.gov Help Desk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are <u>not</u> valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its website; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with Grants.gov are posted on the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

How to Apply [For GMS]

Applications will be submitted through OJP's Grants Management System (GMS). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award and management of grants at OJP. Applicants should begin the process

immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If you experience technical difficulties at any point during this process, please email the GMSHelpDesk@usdoj.gov or call 1-888-549-9901 (option 3), Monday-Friday from 7:00 a.m.-9:00 p.m. Eastern Time. The Office of Justice Programs highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following eight [If you are not developing multiple categories, please delete step 5 and renumber.] steps:

- 1. Acquire a DUNS Number. A DUNS number is required to submit an application in GMS. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at http://www.dunandbradstreet.com. Individuals are exempt from this requirement.
- 2. Acquire or Renew Registration with the Central Contractor Registration (CCR) Database. CCR registration is required to receive funding. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
- Acquire a GMS Username and Password. If you are a new user, please create a
 GMS profile by selecting the first time user link under the sign-in box of the GMS home
 page. For more information on how to register in GMS, go to
 www.ojp.usdoj.gov/gmscbt/.
- 4. **Search for the Funding Opportunity on GMS.** After you log-in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select [insert program office name] and the [insert solicitation title name].
- 5. **Select the Correct Solicitation Title.** Some OJP solicitations posted in GMS contain multiple purpose areas, denoted by the solicitation categories identified in the solicitation title. If you are applying to a solicitation with multiple solicitation categories, you must select the appropriate solicitation title for the intended purpose area of your application.

The application will be peer reviewed according to the requirements of the purpose area under which it is submitted. [If you are not developing a solicitation with multiple categories, this may be deleted.]

- 6. **Select the Apply On-line Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply On-line button in the Action Column to create an application in the system.
- 7. Submit an Application Addressing All of the Requirements Outlined in this Solicitation by Following the Directions in GMS. Once submitted, GMS will display a confirmation screen stating your submission was successful. Important: You are urged to submit your application at least 72 hours prior to the due date of the application.

Note: OJP's Grants Management System (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."

Experiencing Unforeseen GMS Technical Issues

If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact [bureau/program office] staff within 24 hours after the deadline and request approval to submit your application. At that time, [bureau/program office] staff will require you to email the complete grant application, your DUNS number, and provide a GMS Help Desk tracking number(s). After the program office reviews all of the information submitted as well as contacts the GMS Helpdesk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application with be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are <u>not</u> valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow GMS instructions on how to register and apply as posted on its website; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS are posted on the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes,") for all required attachments. Where resumes are required, OJP recommends that all resumes be included in a single file.

[This section may vary as to the specific guidance each agency provides applicants for each announcement. Requested information specific to Recovery Act funded activities must be included. You are strongly encouraged to provide a link to a sample of a successful FY 2009 application (please consult with OGC to ensure appropriate application information is redacted). Generally, this section should contain guidance on the following elements:

Standard Form 424

Please see <u>www07.grants.gov/assets/SF424Instructions.pdf</u> for instructions on how to complete your SF424. When selecting the "type of applicant," if the applicant is a forprofit entity, please select as applicable "For-Profit Organization" or "Small Business" in the Type of Applicant 1 data field. For-profit applicants may also select additional applicable categories (e.g., "Private Institution of Higher Education").

Program Narrative [Note: Please avoid redundancy by citing previous sections, such as "Program Specific Information" rather than repeating language. This section of the announcement must include specific information for the applicant, such as requirements for the length or format of the application package.]

To be considered for review, all applications should follow the format described and include:

- Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation;
- Applicant capabilities and competencies, including a description of how the applicant will track all drawdowns and grant expenditures separately from other funding, including other federal funding;
- Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits;
- A timeline or project plan identifying when goals and objectives will be completed; and
- Performance measures established by the applicant to assess whether grant objectives are being met.

Budget and Budget Narrative

A sample budget worksheet can be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. If you submit a different format, you must include the budget categories as listed in the sample budget worksheet.

Please see the <u>OJP Financial Guide</u> for questions pertaining to budget including allowable and unallowable costs.

Indirect Cost Rate Agreement [if applicable]

Agency name (e.g. Bureau of Justice Assistance)

Description of the Applicant's Plan for the Collection of the Data Required for Performance Measures (See "Performance Measures", above.)

[Note: Include any necessary directions on the data collection method(s) to be used.]

Tribal Authorizing Resolution [Insert if applicable. This provision does not apply to solicitations for provision of general technical assistance provided on behalf of OJP to all eligible tribes on a national or regional basis.]

[The following should be included in any application where the open period for the solicitation is at least 60 days.]

If an application is being submitted by either 1) a tribe or tribal organization, or 2) by a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its residents must be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple tribes, then the application must include a resolution from all tribes which will be included as a part of the services/assistance provided under the grant.

[If there is a solicitation which is open for less than 60 days, then the following additional paragraph should be added to the above.]

If an applicant is unable to obtain a signed copy of a tribal resolution documenting support for its application, then, at a minimum, the applicant must submit an unsigned, draft tribal resolution as part of its application. If an applicant fails to submit either a signed or an unsigned copy of a tribal resolution as part of its application, then it will be eliminated from funding consideration. If selected for funding, any applicant that has submitted an unsigned tribal resolution must submit the signed copy of the tribal resolution to OJP within thirty (30) days of acceptance of the award. In all such cases, use of and access to funds is contingent on receipt of the signed tribal resolution.

Certifications

Other Attachments

[Note: This list MUST include all other program-specific attachments required to meet Basic Minimum Requirements.]

Selection Criteria

[This section should include information on the criteria used (and assignment of percentage weight, if applicable) to evaluate applications for discretionary awards. Consideration should be given to the goals and objectives of the Recovery Act. The percentages provided below are only examples. This information may vary by agency or announcement. **Headings below may be used in all OJP solicitations for discretionary programs.** Language for formula programs will vary and should be customized. **Program Offices may customize the criteria, subcriteria and weighting.**]

[Note: Please avoid redundancy by citing previous sections, such as "Program Specific Information" rather than repeating language.]

- 1. Statement of the Problem/Program (15%)
 - a. Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits
- 2. Project/Program Design and Implementation (30%)
 - a. Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation.
 - b. Timeline or project plan identifying when the goals and objectives will be completed.
- 3. Capabilities/Competencies (20%)
 - a. A description of how the applicant will track all drawdowns and grant expenditures separately from other funding, including other federal funding.
- 4. Budget (15%)
- 5. Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures (15%)
- 6. Other (Specify if applicable)(5%)

Review Process

This section should include a discussion of the review process that will be used for applications. Information about how applications will be reviewed (e.g. through peer review) and who will make the final funding decisions should be included here.]

[Include the following paragraph in all solicitations:]

OJP is committed to ensuring a fair and open process for awarding grants. The [insert bureau/program office name] reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with basic minimum program or legislative requirements as stated in the solicitation (including, but not limited to, requirements as to timeliness, proper format, and responsiveness to the scope of the solicitation).

[For competitive solicitations add the following two paragraphs.]

Peer reviewers will be reviewing the applications submitted under this solicitation that meet basic minimum requirements. [insert bureau/program office name] may use either internal peer reviewers, external peer reviewers or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with [insert bureau/program office name], conducts a financial review of applications for potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

[Add the following to all formula solicitations:]

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

[Add the following to all solicitations for discretionary programs, except NIJ, BJS, and OJJDP solicitations related to research or statistics.]

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

[Add the following to NIJ, BJS, and OJJDP discretionary program solicitations related to research or statistics:]

All final award decisions will be made by the [select Director of the National Institute of Justice/Director of the Bureau of Justice Statistics/Administrator of the Office of Juvenile Justice and Delinquency Prevention], who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Applicants selected for awards under this Recovery Act solicitation must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements, includes Single Audit Act Requirements
- National Environmental Policy Act (NEPA) (if applicable)

- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds (if applicable)
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Recovery Act Reporting Requirements; Section 1512(c) of the Recovery Act
- Section 1511 of the Recovery Act: Certifications
- Section 1602 of the Recovery Act: Preference for Quick-Start Activities
- Section 1604 of the Recovery Act: Limit on Funds
- Section 1605 of the Recovery Act: Buy American
- Section 1606 of the Recovery Act: Wage Rate Requirements
- Section 1607 of the Recovery Act: Additional Funding Distribution and Assurance of Appropriate Use of Funds
- Section 1609 of the Recovery Act: Relating to National Environmental Policy Act

[This section may also include any additional information deemed necessary by announcing agency.]

Agency name (e.g. Bureau of Justice Assistance)

OJP Logo

Appendix Template(s) for Certification(s)

(Instructions: Scan signed certification(s) and submit image files electronically as part of your application package.)

U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS [insert AGENCY NAME]

Recovery Act - [insert name of grant program] Grants Program [Insert Fiscal Year]

Certification as to Recovery Act Reporting Requirements

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

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

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

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

Signature of Certifying Official
Printed Name of Certifying Official
Title of Certifying Official
Full Name of Applicant Entity
 Date

U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS [insert AGENCY NAME]

Recovery Act - [insert name of grant program] Grants Program [Insert Fiscal Year]

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

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

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

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

has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

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U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS [insert AGENCY NAME]

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

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

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

Signature of Certifying Official
Printed Name of Certifying Official
Title of Certifying Official
Full Name of Applicant Government Entity
 Date