

To: OCJP Subrecipients
From:  William J. Scollon, Director
Office of Criminal Justice Programs
Date: January 5, 2016
Subject: 2016 OCJP Administrative Manual

[All Subrecipients] 2016-03

The OCJP 2015-2016 Administrative Manual has been posted on OCJP's website. All updated administrative requirements will become effective January 1, 2016. Go to the following link to access the manual: <http://www.tn.gov/finance/article/fa-ocjp-submanual> . Please familiarize yourself with the updated grant requirements in that they are necessary for the administration of your OCJP grants.

The updated OCJP Administrative Manual is applicable to all subrecipients receiving JAG, Coverdell, FVPSA, METH, NCHIP, RSAT, SASP, STOP, VOCA, ICAC, and/or State funding from the Office of Criminal Justice Programs. The OCJP Administrative Manual is now in web based format with sections that contain information and links pertinent to all subrecipient agencies and individual program specific sections for JAG, Coverdell, FVPSA, NCHIP, RSAT, SASP, STOP and VOCA. **Please note: In addition to the OCJP Manual, subrecipients of federal grants must become familiar with and comply with all requirements in the applicable OMB Circulars and Common Rules ([Appendix T](#)) and the [2014 OJP Financial Guide](#) or the [2015 DOJ Financial Guide](#) and the [OMB Uniform Guidance](#) depending on the federal award funding the grant. In addition, specific federal fund source guidance links are provided in the Manual.**

It is the responsibility of the grant Project Director to ensure that the OCJP Administrative Manual is made available to the grant Authorized Official and all other necessary staff, especially those who have administrative, fiscal, data collection and/or reporting responsibilities for OCJP grants. A list of changes for the OCJP 2015-2016 grant cycle is enclosed on the following pages of this Memo.

Please contact your OCJP Program Manager if you have questions about this memo or the Administrative Manual.

Enclosure: List of OCJP 2016 Administrative Manual Changes

Changes to the 2016 OCJP Administrative Manual

(Please review carefully as changes in the 2016 Manual, now in web based format, may not be identified. These revisions supersede any previous requirements unless stated otherwise.)

Important Note: Subrecipients of federal grants must adhere to all requirements in the applicable OMB Circulars and Common Rules ([Appendix T](#)) and the [2014 OJP Financial Guide](#) or the [2015 DOJ Financial Guide](#) and the [OMB Uniform Guidance](#) depending on the federal award funding the grant.

CHAPTER I, PREAWARD REQUIREMENTS

SECTION D. CERTIFIED ASSURANCES

Please Read: The Non-discrimination and the Equal Employment Opportunity (EEOP) Certifications have been updated for clarity.

CHAPTER II, ACHIEVING OPERATIONAL STATUS

Minor edits for clarification

CHAPTER III, FINANCIAL REQUIREMENTS

Section D. YEAR END

- 2. Obligation of Funds:** An obligation is a legal liability for which funds are committed and disbursement is expected to occur during a specified time period. For example, if you place an order for a piece of equipment to be purchased with grant contract funds, the order is an obligation. Obligations must occur during the grant contract budget period. An obligation occurs when funds are committed, such as in a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the budget period in the award. Any funds not obligated by the subrecipient by the end of the budget period will lapse and revert back to OCJP. The obligation deadline is the last day of the budget period unless otherwise stipulated. (Example: If the budget period is 7/01/15 to 6/30/16, the obligation deadline is 6/30/16.)

CHAPTER IV, PROGRAM INCOME PROCEDURES

Minor edits for clarification

CHAPTER V, ANNUAL FINANCIAL REPORT AND AUDIT REQUIREMENTS

The [Audit Manual June 2015](#) (effective for audits issued after June 30, 2015) is the guidance to be followed. It addresses auditing requirements and reporting requirements for Tennessee governmental units, recipients of subrecipient funds and other organizations.

Please Read: Significant changes have been made to this chapter to reflect new requirements in the Audit Manual.

CHAPTER VI, PERSONNEL POLICIES AND PROCEDURES

Minor edits for clarification

CHAPTER VII, REPORTING REQUIREMENTS

Section F.

(For grant contracts funded with federal awards made after December 26, 2014, the amount has been increased to \$750,000 or more, and must be conducted in accordance with the [OMB Uniform Guidance](#)).

Notice updated links.

CHAPTER VIII, SUPPLIES & OPERATING EXPENSES

No revisions

CHAPTER IX, TRAVEL, CONFERENCES, AND MEETINGS

No revisions

CHAPTER X, PROPERTY AND EQUIPMENT

Significant revision for clarity including:

A. DEFINITIONS:

Real Property: typically includes land and buildings.

Personal Property: includes both tangible personal property, which is classified as either equipment or supplies; and intangible personal property, which includes things having no physical existence, like trademarks, copyrights, and patents

B. SCREENING

Careful screening should take place before acquiring property in order to ensure that it is needed with particular consideration given to whether equipment already in the possession of the organization can meet identified needs. Organizations should establish

and maintain an effective property management system to avoid incurring property acquisition costs that are later disallowed by OCJP (e.g., acquiring unreasonable, duplicative, or unnecessary property). Recommended screening practices include:

- Take stock of the equipment that you have and see if it meets the identified needs.
- Consider establishing a screening committee to make decisions about purchases.
- Utilize effective management techniques for determining that property/equipment is needed.
- Initiate a screening process to ensure that effective controls are in place for property management.

E. DISPOSITION

Whenever a subrecipient wishes to dispose of surplus equipment purchased with grant funds, or change its use, the equipment must be returned to the Office of Criminal Justice Programs or be disposed of within the guidelines of the Subrecipient agency. Equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the OCJP or Federal awarding agency. Equipment with a current per-unit fair-market value in excess of \$5,000 may be sold with the proceeds of the sale being multiplied by the awarding agency's share of the equipment, with that amount to be returned to the Office of Criminal Justice Programs. There is no time limit on this requirement. Contact your [OCJP Program Manager](#) for guidance when disposing of equipment purchased with grant funds.

CHAPTER XI, PRINTING, PUBLICATIONS, AND MEDIA

This chapter has significant changes and clarifications– PLEASE REVIEW

CHAPTER XII, PROCUREMENT OF GOODS AND SERVICES

No revisions

CHAPTER XIII, PROCUREMENT OF PROFESSIONAL SERVICES

A. CONSULTANT RATES OF PAYMENT

Consultant rates of payment are to be reasonable and consistent with fees for similar services in the market place. **The consultant rate maximum limit is \$650 per day or \$81.25 per hour for new consultant rate agreements executed on or after June 1, 2014.** This does not mean that the rate can or should be the maximum limit for all consultants. Consultant rates should be consistent with current market value for the service. The consultant rate agreement file must contain a documented market analysis and justification of the agreed upon rate.

CHAPTER XIV, ALLOWABLE COSTS

Updated links

CHAPTER XV, UNALLOWABLE COSTS

Updated links

CHAPTER XVI, INDIRECT COSTS AND COST ALLOCATION PLANS

PLEASE READ - Significant revisions and clarifications

CHAPTER XVII, GRANT PROJECT REVISIONS & MODIFICATIONS

Minor edits for clarification.

CHAPTER XVIII, CONTRACT AMENDMENTS

No revisions

CHAPTER XIX, SUBRECIPIENT MONITORING

B. OFFICE OF CRIMINAL JUSTICE PROGRAMS MONITORING

Subrecipient Agency Preparation for a Monitoring Visit:

OCJP subrecipients can expect to be monitored programmatically and fiscally at least once during any three-year grant contract period (some subrecipients will be monitored annually).

4. Disposition and Agency Response

Programmatic and Fiscal Monitoring Corrective Action Plans:

Finding(s) of Noncompliance and Observation(s) can be combined and submitted as one document for either one or more contracts managed by the agency. Corrective Action Plans for Finding(s) of Noncompliance and Observation(s) should be **emailed** to the OCJP Assistant Director, Monitoring at Lee.Ann.Smith@tn.gov. It is not necessary to mail a hard-copy. Questioned Costs must be mailed according to the instructions above in D.3.

All Monitoring Corrective Action Plans:

The Corrective Action Plan must be completed by either the Project Director or their designee, signed by the Authorized Official or their designee (The designee is the person granted permission to sign the Authorized Official's signature.) and be

submitted no later than thirty (30) calendar days after the issue date of the OCJP Subrecipient Monitoring Report.

Other edits for clarification.

CHAPTER XX. RETENTION OF AND ACCESS TO RECORDS

A. RETENTION OF RECORDS

2. Retention Period: The **five-year retention period** starts from the date of the submission of the closure of the single audit report which covers the grant period. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the **five-year period**, the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the **regular five-year period**, whichever is later.

D. CONFIDENTIALITY

This section has been updated to clarify and strengthen requirements for protecting confidential information. **PLEASE READ AND FOLLOW THIS GUIDANCE.**

CHAPTER XXII. CIVIL RIGHTS

Added

C. DISCRIMINATION COMPLAINTS

Agencies or individuals may file complaints of discrimination in the delivery of services or benefits directly with the Tennessee Human Rights Commission (TNHRC) at <http://www.tn.gov/humanrights/> or by calling (615) 741-5825, Toll Free: 1-800-251-3589 or Spanish Toll Free Line: 1-866-856-1252.

FUND SOURCE CHAPTERS

All fund source chapters have been streamlined to contain only fund specific information. All grants are subject to the requirements in the general guidance chapters of the OCJP Administrative Manual and the federal or state requirements related to the fund source, and the appropriate federal financial guides. Sources of these requirements are listed throughout the manual.

In general, subrecipients of federal funding must adhere to all requirements in the applicable OMB Circulars and Common Rules ([Appendix T](#)) and the [2014 OJP Financial Guide](#) or the [2015 DOJ Financial Guide](#) and the [OMB Uniform Guidance](#) depending on the federal award funding the grant.

Significant changes to the fund source requirements are listed below. Please read and follow the entire chapter related to the fund source of your agency's grant(s) from OCJP.

JAG

D. EQUIPMENT

The following is taken from the BJA JAG Controlled Purchase List. Contact your [OCJP Program Manager](#) if you have questions about equipment purchases.

“Any items listed below or projects related to these items **are strictly prohibited** under JAG per the [Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition](#). **These projects and/or items cannot be approved under any circumstances.**

1. Tracked armored vehicles
2. Weaponized aircraft, vessels and vehicles of any kind
3. Firearms and/or ammunition with a caliber of .50 or higher
4. Grenade Launchers
5. Bayonets
6. Camouflage Uniforms (digital pattern)

*Woodland and desert patterns are allowable”

BJA has certain requirements related to the purchase of items listed below. **Contact your [OCJP program manager](#) for more information.**

1. “Unmanned Aircraft (UA), Unmanned Aerial Vehicle (UAV) and/or Unmanned Aerial System (UAS)
2. Armored Vehicles (wheeled)
3. Command and/or Control Vehicles (Bus, Recreational Vehicle, etc.)
4. Boats (Non-Police Patrol)

5. Tactical and/or passenger SUVs, Vans, Trucks, and Sedans (excluding SUVs and Sedans that are used for Police Patrol)
6. Manned aircraft, fixed and/or rotary wing
7. Specialized firearms and ammunition under .50 caliber (excludes firearms/ammunition for service-issued weapons)
8. Breaching Apparatus (battering ram or similar entry device)
9. Riot Helmets, shields and/or batons (excluding service-issued telescopic or fixed-length straight batons)
10. Explosives and pyrotechnics
11. Luxury items and Real estate
12. Construction projects (other than penal/correctional institutions)
13. Segway, ATV and Golf Cart (Non-Police Patrol)”

DTFs FUNDED WITH BYRNE JAG GRANTS

New agents hired or reassigned to the DTF should complete this training in its entirety within their first 120 days with the DTF.

STOP, VOCA and FVPSA Fund Source Chapters have been significantly streamlined and subrecipients are referred back to the Fund Source Federal Guidance or Federal Register for specific guidance. It is the subrecipient’s responsibility to become familiar with and comply with the fund source federal guidance and requirements, the appropriate federal financial guides and the OCJP Administrative Manual.

STOP

PRINTING, PUBLICATION AND MEDIA

This section has been revised – PLEASE READ