

TENNESSEE
Grant Solicitation Packet



Fiscal Year 2021
Coronavirus Emergency Supplemental Funding
CFDA 16.034
LOCAL JAIL RESPONSE

Released on: 6/26/20
Intent to apply due: 7/31/20
Completed applications due: 7/31/20

Prepared by:

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1. INTRODUCTION

Overview

The Coronavirus Emergency Supplemental Funding (CESF) Program will provide funding to assist local units of government in preventing, preparing for, and responding to the coronavirus.

Statutory Authority

The CESF Program is authorized by Division B of H.R. 748, Pub. L. No. 116-136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations); 28 U.S.C. 530C.

Permissible uses of Funds

Funds awarded under the CESF Program must be utilized to prevent, prepare for, and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

*All of OCJP subrecipients will be required to have on file signed copies of Certification, Assurances, and Special Conditions required from both the Federal Level and State Level.

1.1. Eligibility

Eligible subrecipients are limited to Local County Government entities who were **not eligible** for a direct CESF contract. You can find the list of **eligible** jurisdictions under this solicitation here: [Eligible List](#)

You can find the list of **ineligible** jurisdictions under this solicitation here: [Ineligible List](#)

Funding under this solicitation is intended to assist **local jail systems** in preventing, preparing for, or responding to COVID-19.

Agencies applying for CESF funding must meet the criteria listed in 3.1 of this solicitation. Agencies not able to demonstrate they meet this criteria must not apply.

Length and Amount of Project Support

Contracts will be one (1) year in length. Contracts will begin on July 1, 2020 and end on June 30, 2021. While contracts will be received by successful applicants by approximately September 1, 2020, COVID-19 expenses from July 1, 2020 may be applied to the grant.

Budgets may not exceed \$20,000 for the project period.

Contracts will remain contingent, as always, on the availability of U.S. Department of Justice federal appropriations.

1.2. Program Purpose

The purpose of Tennessee Coronavirus Emergency Supplemental Funding (CESF) Program is to provide funding to assist the State of Tennessee and local units of government *in preventing, preparing for, and responding to the coronavirus*.

Funds awarded under the CESF Program *must be utilized to prevent, prepare for, and respond to the coronavirus*. Allowable projects and purchases include, but are not limited to, overtime, equipment (including but not limited to technology for remote hearings/appearances and personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, and local jails or other detention centers.

If funds will be used to upgrade a **Jail Management System** it is recommended that the system allow for remote access and “booking” by personnel who are offsite due to COVID.

Funding cannot be used to supplant local finds or to make-up for budget shortfalls.

1.3. Grant Solicitation Communications

1.3.1. The State has assigned the Grant Solicitation identification title that must be referenced in all communications regarding this Grant Solicitation:

CESF Local Jail COVID Response

1.3.2. Prospective Applicants must direct communications concerning this Grant Solicitation to the following email designated and indicate which Grant Solicitation Title in the subject line:

Criminaljustice.Program@tn.gov

1.4. Notice of Intent to Apply

Applicants should complete the [Intent to Apply](#) by the Deadline detailed in the Grant Solicitation Section 2, Schedule of Events.

Completion of the Intent to Apply form creates no obligation, but is a prerequisite for submitting an application and necessary to ensure receipt of any Grant Solicitation updates or other notices and communications relating to this Grant Solicitation. The Intent to Apply and all documents must reference the Grant Solicitation Identification Title found in section 1.4.1.

1.5. Response Deadline

An Applicant must ensure that the State receives an application no later than the application deadline time and date detailed in the Grant Solicitation Section 2, Schedule of Events. An Applicant must apply, as required, to this Grant Solicitation (including all attachments). The State will not accept late applications, and an Applicant's failure to submit its application by the deadline will result in disqualification of the application.

2. GRANT SOLICITATION SCHEDULE OF EVENTS

- 2.1. The following Grant Solicitation Schedule of Events represents the State's best estimate for this Grant Solicitation.

EVENT	TIME (central time zone)	DATE
1. Grant Solicitation Issued		6/26/20
2. Notice of Intent to Apply Deadline	4:30 p.m.	7/31/20
3. Application Deadline	4:30 p.m.	7/31/20
4. Contract Start Date		7/1/20*

*Contract shall be executed by 9/1/20 but expenses shall be allowed retroactively to 7/1/20 based upon project proposal.

- 2.2. **The State reserves the right, at its sole discretion, to adjust the Grant Solicitation Schedule of Events as it deems necessary.** Any adjustment of the Schedule of Events shall constitute a Grant Solicitation update, and the State will communicate such to prospective Applicants from whom the State has received a Notice of Intent to Apply (refer to section 1.5).

3. PROGRAM REQUIREMENTS

3.1. CESF Program Federal Requirements

The intent of the CESF Program is to provide criminal justice assistance to state agencies and local units of government. The Department of Justice has defined a unit of local government as a general-purpose political subdivision of a state, such as a judicial district, city, or county.

3.1.1. Mandatory Reporting of Child Abuse and Adult Abuse: Agencies must comply with Tennessee Code Annotated, Sections 37-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

3.1.2. Federal Funding Accountability and Transparency Act of 2006 (FFATA): Per Public Law 109-282, all applicants are required to have a DUNS number, register via SAM, and provide employee compensation information (if applicable) to be eligible for this funding.

- a. DUNS Number: To enable state agencies that receive federal awards to report this information, sub-grantees (i.e., Sub-recipients) are required to obtain and report a DUNS number. A DUNS number is obtained through Dun & Bradstreet (D&B) and is a unique nine digit identification number that is assigned for FREE for all businesses required to register with the US Federal government for contracts or grants. A DUNS number is required for this grant and is reported on the Intent to Apply. For more information and/or to obtain a DUNS number go to the following website: <http://fedgov.dnb.com/webform>.
- b. System for Award Management (SAM) Registration: To enable OCJP to report sub- awards in a timely manner, Sub-recipients are also required to register with System for Award Management (SAM). SAM is a federally owned and operated free website that consolidates the capabilities of CCR/Fed Reg, ORCA and EPLS, and it will be used to populate the information needed to report sub-award information. In order to register you must have a DUNS number. Registration can be done at www.sam.gov. Your SAM expiration date must be reported on the [Intent to Apply](#) form.
- c. Executive Compensation Reporting: FFATA requires a sub-grantee of a federal award to report the names and total compensation of the most highly compensated executives (i.e., officers, managing partners, or any other employees in management positions) if they meet the following criteria:
 - 80 percent or more of the sub-grantee's annual gross revenues from Federal procurement contracts and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320; and
 - \$25,000,000 or more in annual gross revenues from Federal procurement contracts, and Federal financial assistance subject to the Transparency Act; and,
 - The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <https://www.sec.gov/fast-answers/answers-excomphtm.html>).

3.1.3. Additional Federal Funds Received: The sub-recipient agrees that if it currently has a contract with OCJP and receives additional federal funding, outside OCJP, and those funds are to be used, in whole or in part, for one or more of the identical cost items for which funds are being

provided under the OCJP contract, the sub-recipient will promptly notify the OCJP program manager in writing.

- 3.1.4. **Justice Information Sharing:** Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.
- 3.1.5. **(SC 32) Additional Future Requirements:** The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.
- 3.1.6. **(SC 25) Subaward Requirements:** Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.
- 3.1.7. **(SC 43) Use of funds for DNA testing; upload of DNA profiles:** If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.
- 3.1.8. **(SC 44) Body armor - compliance with NIJ standards and other requirements:** Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.
- 3.1.9. **(SC 37) Justice Information Sharing:** Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

- 3.1.10. Compliance with Network Technology Regulations: In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OCJP requires the subgrantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Subgrantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Subgrantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subgrantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

- 3.1.11. Program Income: Program income, as defined by 2 CFR 200.80, means gross income earned by a non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance. **Program Income is unallowable without prior approval.**
- 3.1.12. Subject to Funds Availability: Funding is subject to the appropriation and availability of State funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate this solicitation. Upon such termination, the Grantee shall have no right to recover from the State any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- 3.1.13. Compliance with Submission of eligible records relevant to the National Instant Background Check System (NICS) for Law Enforcement, Prosecution and Court Projects requesting funding:

Consonant with federal statutes that pertain to firearms and background checks, including 18 U.S.C. 922 and 34 U.S.C. chapter 409, if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and when appropriate promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

All law enforcement, prosecution and court related projects must comply with the above and with State TCA 8-4-115 (revised language effective January 1, 2019) prior to requesting funding and throughout the course of life of a funded contract. Failure to do so could result in termination of funding.

3.2. **CESF Program State Requirements**

- 3.2.1. Law Enforcement Agencies: In order for law enforcement agencies to qualify for grant funds, they must comply with the following:

- a. Fingerprint Reporting Requirement: The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints to the Tennessee Bureau of Investigation (TBI).
- b. Tennessee Incident Based Reporting System (TIBRS) Reporting Requirement: The Agency shall ensure that they comply with the rules and regulations of the TBI as empowered by Tennessee Code Annotated (TCA) 38-10-101 et seq. with regard to the TIBRS. The agency will at all times maintain TBI certification of their compliance with those rules and regulations.
- c. National Instant Criminal Background Check System (NICS) Reporting Requirement: The Agency shall ensure that they comply with Tennessee Code Annotated (TCA) 33-3-1115 with regard to NICS Reporting. The agency will at all times maintain compliance.
- d. Death in Custody Reporting Act (DICRA) Requirements: The Agency shall comply with PUBLIC LAW 113–242 by submitting all deaths in custody to the TBI.
- e. DNA and CODIS Requirements: The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 40-35-321 regarding the collection of DNA.

Please note that 3.3.1. a-e are also federal requirements.

- 3.2.2. Tennessee Department of Revenue Registration: Pursuant to Tennessee Code Annotated (TCA) 12-3-306 all subrecipients must comply with the Retailers' Sales Tax Act compiled in TCA 67-6-8 101 et seq. All subrecipients and therefore required to either register a sales and use account with the Department of Revenue or seek an exemption from the same. Information on the process can be found at: [Sales and Use Registration](#).

Applications must include sales/use registration information or exemption letter. Requests for this registration or exemption should be initiated at least two (2) business days prior to application due date. (This does not apply to DTFs and State and Local Law Enforcement.) For further program requirements please refer to the CESF portion of the OCJP Grants Manual on the Office of Criminal Justice Programs website at the following link: [OCJP Grants Manual](#).

- 3.2.3. High Risk Designation: Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency. If the recipient is designated "high risk" by a federal grant-making agency, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to the OCJP.

For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

Applications must submit a [High Risk Designation Certification](#) as part of the application.

- 3.2.4. Non-supplanting: Agencies must certify that local or federal funds, which includes any Federal Emergency Management Agency (FEMA) funds/TEMA funds, will not be used to supplant or replace funds or other resources that would otherwise have been made available or previously budgeted. Additionally, FEMA or TEMA funds must be used first before using CESF funding for an allowable expenditure. Agencies must ensure they do not request reimbursement for the same expenditures under multiple federal awards.

4. FINANCIAL REQUIREMENTS

- 4.1. OCJP grants awarded under this CESF Program are governed by the provisions of the Office of Management and Budget (OMB) Uniform Guidance applicable to financial assistance. For the CESF funding, refer to the [Uniform Administrative Requirements, Cost Principles, and Audit Requirements Uniform Guidance](#). These circulars, along with additional information and guidance, are contained in the [the OCJP Grants Manual](#). This policy manual provides information on allowed costs, methods of payment, audit requirements, accounting systems, and financial records. Specific requirements include:

- 4.1.1. Accounting Systems: A grant accounting system must be in place and financial records must accurately account for funds awarded to them. The system must have a financial management module in place that is able to record and report on the receipt, obligation, and expenditure of grant funds. This includes ability to track grant funds separately from other funds. There should be a system in place that can accurately track employees' time charged to the grant. Accounting policies and procedures should be documented and in use, this includes payroll and purchasing policies that reflect good internal controls.
- 4.1.2. Cost Allocation Plan: If any part of the costs to be reimbursed are joint costs involving allocation to more than one program or activity, a cost allocation plan must be submitted and approved by the subrecipients cognizant agency. The subrecipients cognizant agency is the agency whose funds comprise the greatest percentage of grant funds received by the Subrecipient. Cost Allocation Plans must comply with the applicable accounting and financial standards, either Financial Accounting Standards Board ("FASB") standards or Governmental Accounting Standards Board ("GASB") standards. Methods used for allocating costs may differ between Subrecipients. It should be noted that grantors are not required to fully fund the costs that are charged to a particular program under an approved Cost Allocation Plan if such costs are not allowable under the contract with the Subrecipient or exceed the prescribed funding percentage or budgets.

Subrecipients other than state departments, cities, counties (and subdivisions thereof) and state colleges, universities, and technology centers will adhere to the [Department of Finance and Administration – Policy 03 – Uniform Reporting Requirements and Cost Allocation Plans for Subrecipients of Federal and State Grant Monies](#).

The requirements for the development and submission of indirect cost proposals and cost allocation plans are set out in Appendices III – VI of 2 C.F.R. Part 200, for subrecipients that are a state department, city, county (and subdivision thereof) and state college, university, and technology center. These subrecipients should follow the guidelines applicable to its type of organization:

2 C.F.R. § 200, Appendix III for Institutions of Higher Education

2 C.F.R. § 200, Appendix V for State/Local Government Central Service Cost Allocation Plans

2 C.F.R. § 200, Appendix VII for State/Local/Tribal Indirect Cost Proposals

For additional information regarding cost allocation plans, please refer to [Chapter XVI – Cost Allocation of the OCJP grants manual](#).

- 4.1.3. Indirect Cost Rate Should the subrecipient request reimbursement for indirect costs, the Subrecipient must submit to the State a copy of the indirect cost rate approved by the cognizant federal agency or the cognizant state agency, as applicable. The Subrecipient will be reimbursed for indirect costs in accordance with the approved indirect cost rate and amounts and limitations specified in the grant budget. Once the subrecipient makes an election and treats a given cost as direct or indirect, it must apply that treatment consistently and may not change during the contract period. Any changes in the approved indirect cost rate must have prior approval of the cognizant federal agency or the cognizant state agency, as applicable. If the indirect cost rate is provisional

during the contract period, once the rate becomes final, the subrecipient agrees to remit any overpayment of funds to the State, and subject to the availability of funds the State agrees to remit any underpayment to the subrecipient. ***Non federal agencies who have never had a negotiated indirect cost rate can select to use the 10% De Minimis rate. If electing to use the De Minimis rate, fill out and submit with application [the certification of De Minimis rate](#).***

- 4.1.4. **Multiple Year Contracting:** Multiple year contracting reduces unneeded paperwork and duplication for OCJP, as well as the subrecipient's office. This reduction in bureaucratic paperwork allows the subrecipient more time to spend on project implementation and evaluation, while allowing OCJP more time to provide oversight, technical assistance and evaluation of individual projects and OCJP programs. **Multiple year contracts will remain contingent, as always, on the availability of U.S. Department of Justice federal appropriations.**
- 4.1.5. **State Agency Applicants:** State agency applicants (executive, judicial or legislative branch agencies) must notify their Department of Finance and Administration budget analyst at the time the OCJP application is submitted of their intentions to apply for a grant. This Division of Budget notification is required so that necessary steps can be taken to include the grant in the agency's state budget should the state agency receive an award granted from OCJP.

NOTE: State agencies procuring information technology must obtain formal support of procurement from the Strategic Technology Solutions in the Department of Finance and Administration prior to the signing of the grant contract with OCJP.

For further program requirements, please refer to the OCJP Grants Manual on the Office of Criminal Justice Programs website at the following link: [OCJP Grants Manual](#).

4.2. **Allowable Use of CESF Funds**

CESF funds may be used by the subrecipient for personnel costs, training and technical assistance, equipment, operational costs, and information systems that are part of an approved project and are in addition to the resources already available to the subrecipient. **Funds must be used to assist local units of government in preventing, preparing for, and responding to the coronavirus.** Costs must be reasonable, allocable, and necessary to the project and comply with the CESF Program requirements. Any questions about allowable use of funds should be directed to the Office of Criminal Justice Programs. Agencies must ensure that local or federal funds, which includes any Federal Emergency Management Agency (FEMA) funds, will not be used to supplant or replace funds or other resources that would otherwise have been made available or previously budgeted. **CESF cannot be used to replace forgone revenue.**

Allowables in federal solicitation:

- Equipment
 - Medical PPE
- Supplies such as gloves mask and sanitizers
- Training
- Travel expenses to the most impacted areas
- Addressing the medical needs of inmates

- 4.2.1. **Operational Costs:** Payment of operational costs is allowable if costs are part of an approved project and are necessary to the project implementation and operation as it works to prevent, prepare for and respond to the coronavirus. **CESF funds cannot be used to replace forgone revenue.** Operational costs may include supplies, telecommunication costs, postage and shipping, printing and publications costs, rent, equipment rental costs and insurance costs. Costs for a program must be prorated across all fund sources.
- 4.2.2. **Clothing and Furniture Costs:** Payment of clothing and furniture must be pre-approved by OCJP before a purchase is made.

4.2.3. Professional Fees: If the implementing governmental agency or non-profit organization is entering into a subcontractual relationship with an entity that is providing project based professional services for the project, a subcontract will be required between the implementing agency and the subcontracting entity. Subrecipients should check the Administrative Manual as many items in this line item require a **pre-approved Subcontract**. Enter the name of the individual or company being used, the number of hours or days for the fiscal year and the total cost. Consultant rates of payment are to be reasonable and consistent with fees for similar services in the market place. Individual consultant fees cannot exceed \$650 per day or \$81.25 per hour; this includes legal, medical, psychological, training, and accounting consultants.

4.2.4. Publication of Documents and Electronic Media: Project directors are encouraged to make the results and accomplishments of their activities available to the public. A subrecipient who publicizes project activities and results shall adhere to the following:

Responsibility for the direction of the project should not be ascribed to the Department of Justice or the Tennessee Office of Criminal Justice Programs.

All reports, studies, notices, informational pamphlets, press releases, signs, billboards, DVDs, public awareness kits, training curricula, webinars, websites, and similar public notices (written, visual or sound) prepared and released by the Grantee shall include the statement:

“This project is funded under an agreement with the State of Tennessee.”

Additionally, studies and research/report type publications expressing the direction of project activity must also contain the following federal funding statement:

“The opinions, findings, conclusions or recommendations contained within this document are those of the author and do not necessarily reflect the views of the Department of Justice or the State of Tennessee, Office of Criminal Justice Programs.”

4.2.5. Equipment: Equipment expenses, which are part of an approved project, if necessary and allocable to that project, are allowable expenses. Equipment defined as tangible non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit or “Sensitive Minor Equipment”. “Sensitive Minor Equipment” defined as moveable, high-risk, sensitive property items purchased with a cost between \$500.00 and \$5,000.00, such as computers (i.e., laptops, tablets), weapons, TVs, and cameras acquired, used and managed for criminal justice grant purposes. Equipment or other assets that are purchased in whole or in part with grant funds are subject to OCJP policy guidelines. These guidelines require that whenever a subrecipient wishes to dispose of surplus equipment, or change its use, the equipment must be returned to the Office of Criminal Justice Programs. There is no time limit on this requirement.

4.2.6. Technology: In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OCJP requires the grantee to comply with DOJ’s Global Justice Information Sharing Initiative (DOJ’s Global) guidelines and recommendations for this particular grant. Subgrantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Subgrantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

4.2.7. Software and Hardware: Any law enforcement records management system must be from a TBI approved vendor and be TIBRS compliant. Records management systems must be preapproved by OCJP prior to submitting the proposal. Records management systems must be XML compatible.

- 4.2.8. Travel: Expenses and reimbursements for in state and out of state travel must follow the most current comprehensive [State of Tennessee Travel Rules and Regulations](#).
- 4.2.9. Training, Conferences, and Meetings: Training, Conferences, and Meetings which are part of an approved project, if necessary and allocable to that project, are allowable expenses. The following cost thresholds are in place:
- a. Meeting Room/Audio Visual Services: Lesser of \$25 per day per attendee or \$20,000.
 - b. Logistical Planners: Lesser of \$50 per attendee or \$8,750.
 - c. Programmatic Planners: Lesser of \$200 per attendee or \$35,000.
 - d. Food and Beverage: Generally not allowed.
 - e. Refreshments: Generally not allowed.

- 4.2.10. Vehicle Purchase: Vehicle lease and/or purchases with CESF grant funds **require prior approval from OCJP.**

4.3. **Unallowable Use of CESF Funds:**

- 4.3.1. **CESF cannot be used to replace forgone revenue.**
- 4.3.2. General Salaries and Personnel Costs: General salaries and personnel costs including overtime are not allowable under this solicitation
- 4.3.3. Food and Beverages: Food, snacks, and beverages are not allowed under CESF funding.
- 4.3.4. Construction: Use of grant funds for construction projects is prohibited under both state and federal guidelines for this program.
- 4.3.5. Land Acquisition: Acquisition of land with CESF grant funds are prohibited.
- 4.3.6. Lobbying: In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913.

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OCJP for guidance, and may not proceed without the express prior written approval of OCJP.

- 4.3.7. Other Unallowable Expenses: Other unallowable expenses include the following:

Legal Fees
Costs in applying for this grant
Any expense prior to the grant award date
Lobbying or advocacy for particular legislative or administrative reform
First class travel
Entertainment
Management studies or research and development

Honorariums
Fines and penalties
Fund raising and any salaries or expenses associated with it
Losses from uncollectible bad debts
Memberships and agency dues
Contributions and donations
Sole source contractors (without prior written approval from the Office of Criminal Justice Programs)
Gas and gift cards
Depreciation

Please Note: This list is NOT ALL-INCLUSIVE. For further clarification, contact OCJP.

5. REPORTING REQUIREMENTS

The recipient must collect, maintain, and provide to OCJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OCJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

Complete reporting requirements will be found in the CESF Fund Source Chapter of the OCJP Grants Manual and the CESF Reporting Table coming soon to the OCJP Grants Manual. The data collected should support the information submitted on the reports and OCJP may periodically request to see the back-up data that supports the information submitted.

5.1. Programmatic Reporting

- 5.1.1. Quarterly Performance Measures Reports: Project Directors will submit the applicable required Quarterly Performance Report online at <https://ojpsso.ojp.gov/> no later than 15 days past the end of each state fiscal year quarter, (July 1 - September 30), (October 1 - December 31), (January 1 - March 31), (April 1 - June 30). Project Directors will email a copy of the report to their program manager by the same date.
- 5.1.2. Annual Project Reports: Project Directors will submit the applicable required Annual Project Report to the OCJP **no later than July 31st**. These reports provide the Project Director an opportunity to describe both in narrative and quantitative fashion the success of their project. These reports are submitted online at the following link: [CESF Reports](#).
- 5.1.3. Other reports as required by the Department of Justice; Bureau of Justice Assistance or the Tennessee Office of Criminal Justice Programs.

5.2. Fiscal Reporting

Subrecipient agencies must request reimbursement at least once per quarter based on expenditures incurred. However, it is recommended that agencies invoice monthly, when monthly expenditures are incurred.

- 5.2.1. Invoice for Reimbursement (Non-state Agencies): The invoice is used to request monthly reimbursement. It is **strongly recommended** that agencies invoice monthly, when monthly expenditures are incurred. However Subrecipient agencies can invoice quarterly. If invoicing quarterly, agencies **MUST request reimbursement 30 days after the end of each quarter for all the expenses incurred during the quarter in its entirety**. Funds can only be distributed to subrecipients upon receipt of a properly prepared and signed invoice. The invoices are emailed to the Office of Business and Finance of the Department of Finance and Administration.
- 5.2.2. State of Tennessee Inter/Unit Journals (State Agencies Only): This method of payment is used for grants funded to State agencies. This payment method reimburses the subrecipient based upon actual costs incurred by the subrecipient in carrying out the activity of the grant. As the subrecipient incurs costs, those costs are conveyed to the funding source (OCJP) following the State of Tennessee Inter/Unit Journal process described below. Following the IU processing, deposits (reimbursement) via the recognition of revenue are made to the account of the state subrecipient.
- 5.2.3. Quarterly Program Income Summary Report (State and Local Governments Only): Agencies should be aware of and comply with reporting Program Income as defined in the [Department of Justice Financial Guide](#). Project Directors will be required to submit this report on a quarterly basis. It is due to OCJP **no later than 15 days** past the end of each state fiscal year quarter, (July 1 - September 30), (October 1 - December 31), (January 1 - March 31), (April 1 - June 30). All income generated as a direct result of an agency funded project shall be deemed

program income and reported on this form. Fines are not considered program income. These reports are completed online at the following link: [Income Summary Report](#).

- 5.2.4. **Policy 03 Quarterly Expense and Revenue Report (Non-profit Agencies Only)**: This report consists of the Program Expense Report (Schedule A), the Program Revenue Report (Schedule B), and the Final Program Expense Summary Page (Schedule C). Schedule A is used for submitting detailed and total expense budgets and for detailed and total expense reports. Schedule B is used for submitting revenue budgets and for revenue reports by source with reconciliation between total expense and reimbursable expenses. Program Income, if any, is reported on line 39 of Schedule B. Agencies should be aware of and comply with reporting Program Income as defined in the [Department of Justice Financial Guide](#). Schedule C is intended to recap all direct expenses in one column, as well as determine a grand total of all expenses. Policy 03 Quarterly Expense and Revenue Reports are due no later than thirty (30) calendar days following the end of the quarter for which the report is completed. These reports are sent to the Fiscal Manager at OCJP at OCJP.P3@tn.gov. ([See OCJP Policy 03](#)).

NOTE: Non-Profit subrecipients should review reporting requirements as specified in [OMB Uniform Guidance](#) issued by the Comptroller's Office.

- 5.2.5. **Project Equipment Summary Report**: This report is completed on an annual basis, if equipment or "Sensitive Minor Equipment" (see [OCJP Grants Manual Chapter X](#)-Property and Equipment for definition) is purchased with grant funds during the current fiscal year. It is due to OCJP no later than thirty (30) calendar days past the end of the State fiscal year or July 31st. For new projects, the Project Equipment Summary Report should list new or start-up equipment purchases. For multi-year projects, the Project Equipment Summary Report should specifically identify any purchases that have been made for equipment, either totally or in part with grant money, since the last fiscal year. This report is available for online submission at https://stateoftennessee.formstack.com/forms/project_equipment_summary_report.
- 5.2.6. **Notice of Audit Report**: For non-profits, the [Notice of Audit](#) should be submitted annually, 90 days after the close of the fiscal year.

5.3. **Fiscal and Program Monitoring**

The Office of Criminal Justice Programs program managers and fiscal monitors provide routine program and fiscal monitoring of all OCJP contracts. This monitoring provides program and fiscal contract compliance review, much needed information on how the program is actually being implemented, and assists in identifying sub-recipients experiencing problems requiring corrective action. If through monitoring a problem area is identified and corrective action is requested, OCJP sub-recipients must adhere to the corrective action requirements identified in the OCJP Grants Manual within the time period required.

6. APPLICATION PROCESS AND INSTRUCTION

6.1. Scope of Services/Project Narrative

The Office of Criminal Justice Programs has provided a word document for use in constructing an application under this solicitation. First save this document to your computer with the grant solicitation identification title (**consult the list available in 1.4.1.**).

The [Scope of Services/Project Narrative](#) contains definitions and instructions for completion. It also contains the following headers and will be evaluated based upon the following criteria:

EVALUATION CATEGORY
Problems and needs
Activities/Inputs
Implementation Timeline
Data collection procedure
Outcomes
Collaboration Activities

The Scope of Services/Project Narrative should be submitted with the application. See Section 6.3 and 6.4 for information on how to submit your application.

6.2. Budget Summary and Line-Item Detail

Begin by saving this document to your computer with the **solicitation grant title** and then fill in the budget detail and the summary of this spreadsheet. Please use whole numbers. [Budget Instructions](#) and [Budget](#)

You must complete a budget for each year of funding requested.

NOTE: Thoroughly read the instruction tab of the budget spreadsheet before preparing the budget. The Grant Solicitation Title at the top of the budget summary page must match the title submitted in the Intent to Apply and on your Scope of Services/Project Narrative. The list can be found at 1.4.1.

Each fiscal year project budget consists of two components: the Summary Budget Amounts for the Federal, and Line Item total for each line item; and the Budget Narrative for each line item where narrative detail is required. All budgeted line items must be reasonable, necessary, and allocable directly to the project.

See Section 6.3 and 6.4 for information on how to submit your application.

6.3. Application Submission

An Applicant must ensure that the State receives a response no later than the Response Deadline time and date detailed in the Grant Solicitation Section 2, Schedule of Events at the following email address:

CriminalJustice.Program@tn.gov

6.4. CESF Application Requirements

6.4.1. The first step to the CESF application process is to submit an Intent to Apply through the following on-line link: [Intent to Apply](#) by 7/31/20 as your intent to apply for this grant (See Grant Solicitation Section 2, Schedule of Events). **The Intent to Apply must reference the grant solicitation identification title.**

6.4.2. Initiate Department of Revenue registration or exemption process for sales/use accounts.

This process should be initiated at least two (2) business days prior to application due date.

Note that this exemption is not the same as a “sales tax exemption” and a failure to follow the process described may result in the disqualification of this application.

If you previously possessed a grant with the Office of Criminal Justice Programs (OCJP) or other state entity and created a sales/use account or received an exemption then that documentation can be submitted to satisfy this requirement.

This requirement does not apply to local law enforcement agencies.

6.4.3. The next step is to create a Scope of Services/Project Narrative by using the word forms document found at the following link: [Scope of Services](#).

6.4.4. Next create a budget using the excel budget sheet(s) at the following link: [Budget Instructions](#) and [Budget](#). Complete one budget per each year of funding.

6.4.5. [Jail Data Survey](#) – Complete this survey prior to submission. You do not have to attach any documentation from this survey to your application.

6.4.6. Complete the Other Grant Funds – Application Attachment provided at the following link: [CESF Other Funds](#) (please follow instructions at this link)

6.4.7. Complete the Certification packet found at the following link: [Certifications and Assurances](#)

6.4.8. Complete the Special Condition packet found at the following link: [Special Conditions](#)

6.4.9. Complete and submit the [High Risk Designation Certification](#) form.

6.4.10. Submit approved cost allocation plan (if applicable)

6.4.11. Submit approved indirect cost rate (if applicable)

6.4.12. Submit [De Minimis certification](#) if electing to use the 10% De Minimis rate.

6.4.13. Create and attach a copy of the organizational chart used if awarded this grant.

6.4.14. Use the attached checklist at the end of this application and submit all required documents (except Intent to Apply which is an online document), via e-mail to Criminaljustice.Program@tn.gov.

All above documents should be emailed to Criminaljustice.Program@tn.gov with the grant solicitation identification title in the subject line of the email. (see section 1.4.1. for a list)

6.5. Application Deadline

7/31/20

6.6. Response Preparation Costs

The State will not pay any costs associated with the preparation, submittal, or presentation of any application.

7. APPLICATION EVALUATION

7.1. Review and Evaluation of Proposals

Each application will be rated, utilizing a “weighted” review tool, based on the applicant agency’s ability to provide a logical description of how their project theoretically works to benefit the target group. The project description must tie goals, activities, outputs, and outcomes together in a logical fashion. Applications will be reviewed for financial and programmatic completeness by OCJP staff with expertise in grant requirements and program design. The applications will be rated and funding will be determined through a competitive review process by a review team of professionals knowledgeable in applicable subject material. Grants will be awarded based on current funding patterns, the availability of funds, and the above cited criteria.

All competitive applications will undergo a final review by OCJP Staff and applicants will be notified of approval or denial by the date listed below. If an application is approved, the contract between the state and the subrecipient will be emailed with the approval letter. The contract **must** be signed by the Authorized Official and returned to the Office of Criminal Justice Programs for approval by the Commissioner of Finance and Administration. After the Commissioner approves the contract, an executed original contract will be emailed to the subrecipient.

Applicants for grants will be notified whether their application is approved prior to the start date.

7.2. Grant Solicitation Update

The State at its sole discretion may update this Grant Solicitation, in writing, at any time prior to contract award. However, prior to any such update, the State will consider whether it would negatively impact the ability of potential Applicants to meet the response deadline and revise the Grant Solicitation Schedule of Events if deemed appropriate. If a Grant Solicitation update is issued, the State will convey it to potential Applicants who submitted a Notice of Intent to Apply (refer to Grant Solicitation Section 1.5). A response must address the final Grant Solicitation (including its attachments) as updated.

Application Completion Check-off
(Retain for your own purposes)

- ☐ [Intent to Apply](#) (Grant Solicitation Title, Applicant Contact & Profile Information) completed online no later than 7/31/2020.
- ☐ Department of Revenue registration or exemption letter (Except DTFs and State and Local Law Enforcement)
- ☐ [Jail Data Survey](#) – Complete this survey prior to submission. You do not have to attach any documentation from this survey to your application.
- ☐ [Scope of Services/Program Narrative](#) completed on the forms document and e-mailed
- ☐ [Budget Summary and Detail](#) completed on the excel spreadsheet. See [Budget Instructions](#)
- ☐ [CESF Other Funds](#)
- ☐ [Special Conditions](#)
- ☐ [High Risk Designation Certification](#)
- ☐ [Certifications and Assurances](#)
- ☐ Agency Organizational Chart

If applicable:

- ☐ Most recent approved Cost Allocation Plan (if applicable)
- ☐ Approved Indirect Cost Rate (if applicable)
- ☐ [De Minimis Certification](#) (if applicable)

Applications must be submitted in accordance with Section 6.4 no later than 4:30 pm central time, 7/31/20.

If you have completed the above items and emailed to CriminalJustice.Program@tn.gov with the grant solicitation identification title (see section 1.4.1. for a full list) in the subject line, then your application is complete.