

TENNESSEE
Grant Solicitation Packet



Fiscal Year 2023/2024
Byrne State Crisis Intervention Program
Assistance Listing Number 16.738

Project Period: 07/01/2024 – 6/30/2027

Released on: 4/8/2024

Intent to Apply due: 5/1/2024

Completed applications due: 5/1/2024

Prepared by:

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1. IMPORTANT INFORMATION

The Byrne State Crisis Intervention Program (Byrne SCIP) provides funding for the creation and/or implementation state crisis intervention court proceedings and related gun violence reduction programs/initiatives, including, but not limited to behavioral health deflection, juvenile court / family engagement programs, education and training programs, and other methods of prevention.

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

Planning for SCIP funding is conducted by a Crisis Intervention Advisory Board. The Board includes, but is not limited to, representatives from law enforcement, the community, courts, prosecution, behavioral health providers, victim services, and legal counsel.

Byrne SCIP funding can be used for the following priority areas:

- **Behavioral Health Deflection**
- **Juvenile Court - Family Engagement Programs**
- **Education and Training**

Please see Section 1.4. for more information on the program purpose and priorities covered by **this solicitation**.

1.1. Available Funds

Byrne State Crisis Intervention Program, Assistance Listing Number 16.738

1.2 Eligibility

Juvenile Courts (local governments)

Eligible subrecipients are limited to local governmental entities who maintain a Juvenile Court in the State of Tennessee. Eligible entities may subcontract with non-profit or government agencies to implement a portion / or all of the proposed project.

1.2. Length and Amount of Project Support

Contracts will be 36 months in length beginning July 1, 2024 and ending on June of June 30, 2027.

Contracts will utilize a separate budget for each year:

- Year 1: July 1, 2024 – June 30, 2025
- Year 2: July 1, 2025 – June 30, 2026
- Year 3: July 1, 2026 – June 30, 2027

The total amount for all federal funds budgeted for all years (combined) is not to exceed \$450,000.00. Annual budgets should not exceed \$150,000.00 per year. Annual budgets should reflect costs that are reasonable, allocable, and necessary for the development of individual projects.

NOTE: Multi-year contracts will remain contingent, as always, on the availability of federal appropriations.

1.3. Program Purpose

Byrne SCIP Program Area: Juvenile Court - Family Engagement Programs

Priority Areas Addressed: Specialized Court-based programs, Community Violence Intervention, Prevention and Intervention for At Risk Youth

Program Abstract: [Juvenile Court Family Engagement](#)

The purpose of this solicitation is to expand the availability of prevention and intervention style youth delinquency programs utilized by Juvenile Courts in the State of Tennessee. Under this solicitation courts are encouraged to expand the capacity of current successful evidence-based programs utilized by courts or leverage established evidence-based programming that exists in the community but was not utilized directly by the local juvenile court.

Projects funded under this solicitation must use evidence-based models and be able verify that the services provided are evidence-based.

Agencies intending to implement an evidence-based program are required to use recognized programs that are rated as “Highest Rated” or “Second Highest Rated” according to the [Results First Clearing House Database](#).

Examples include but are not limited to:

Wraparound Services
Functional Family Therapy
Mentoring
Restorative Justice

1.4. Grant Solicitation Communications

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

Juvenile Court – Family Engagement Programs

1.4.2. 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

1.5. Notice of Intent to Apply

Applicants should complete the [Intent to Apply](#) by the deadline detailed in the Grant Solicitation Section 3, 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 Title found in section 1.5.1.

1.6. Application 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 3, 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. IMPORTANT INFORMATION

2.1. 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 based on the various projects types available. First select the proper scope of services/project narrative from the list below or the scope of services/project narrative link below and save this document to your computer with the grant solicitation identification title before completing it.

The document for this solicitation is located at the following link: [Scope of Services](#). It contains definitions and instructions for completion.

The Scope of Services/Project Narrative contains the following headers and will be evaluated based upon the following criteria:

| EVALUATION CATEGORY |
|---------------------------|
| Problems and needs |
| Purpose |
| Activities |
| Implementation Timeline |
| Inputs |
| Data collection procedure |
| Collaboration Activities |
| Intended outputs |
| Intended outcomes |

The Scope of Services/Project Narrative should be submitted with the application. See Sections 2.3 and 2.4 for information on how to submit your application.

2.2. Budget Summary and Line-Item Detail

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

Byrne SCIP: [Budget](#), [Budget Instructions](#)

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

NOTE: Thoroughly read the instructions before preparing the budget. The Project Title at the top of the budget summary page must match the title submitted in Intent to Apply and on your Scope of Services/Project Narrative (see 1.5.1.).

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 2.3 and 2.4 for information on how to submit your application.

2.3. 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 3, Schedule of Events at the following email address:

Criminaljustice.Program@tn.gov

2.4. Application Requirements

- 2.4.1. Submit the Intent to Apply form through the following on-line link: [Intent to Apply](#) by 5/1/2024 as your intent to apply for this grant (See Grant Solicitation Section 3, Schedule of Events). **Intent to Apply must reference the grant solicitation identification title (See section 1.5.1).**
- 2.4.2. Create a [Scope of Services/Project Narrative](#) by using the word forms document found at the links provided in 2.1 that corresponds with the solicitation grant solicitation identification title.
- 2.4.3. Create a budget:
Byrne SCIP projects: [Budget](#), [Budget Instructions](#)
- 2.4.4. Other Funds Form – application attachment provided at the following link: [Other Funds Form](#).
- 2.4.5. Attach a copy of the organizational chart used if awarded this grant.
- 2.4.6. Submit approved cost allocation plan (if applicable).
- 2.4.7. Submit approved indirect cost rate or [De Minimus Certification](#) (if applicable).
- 2.4.8. Attach Letters of Support or MOUs (if required by the Collaboration section of the Scope of Service/Narrative).
- 2.4.9. [PREA Certification of Compliance](#) (See Section 4.1.) for Jail based or Juvenile Detention based programs.
- 2.4.10. Use the checklist in section 2.7 of this application and submit all required documents (except the 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 (complete list located in section 1.5.1).

2.5. Application Deadline

5/1/2024

2.6. Response Preparation Costs

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

2.7. Application Completion Check-off List

(Retain for your own purposes)

To ensure compliance with funding consideration requirements, please read the entire solicitation.

- [Intent to Apply](#) completed and submitted online no later than 5/1/2024.
- [Scope of Services/Program Narrative](#) completed on the forms document
- Budgets completed on the excel spreadsheet (one budget summary page and detail page for each year of requested funding):
Byrne SCIP projects: [Budget](#) and [Budget Instructions](#)
- [Other Funds Form](#)
- Agency Organizational Chart
- Most recent approved Cost Allocation Plan (if applicable)
- Approved Indirect Cost Rate or [De Minimus Certification](#) (if applicable)
- Attach Letters of Support or MOUs (if required by the Collaboration section of the Scope of Service/Narrative).
- [PREA Certification of Compliance](#)(See Section 4.1.) for Jail based or Juvenile Detention based programs only

Applications must be submitted in accordance with Section 2.4 no later than 4:30 pm central time, 5/1/2024.

If you have completed the above items and emailed to Criminaljustice.Program@tn.gov with the grant solicitation description title in the subject line (see section 1.5.1. for a complete list), then your application is complete.

3. GRANT SOLICITATION SCHEDULE OF EVENTS

3.1. 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 | | 4/8/2024 |
| 2. Notice of Intent to Apply Deadline | 4:30 p.m. | 5/1/2024 |
| 3. Application Deadline | 4:30 p.m. | 5/1/2024 |
| 4. Contract Start Date | | 7/1/2024 |

3.2. **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).

4. FUND SOURCE DESCRIPTIONS AND SPECIFIC REQUIREMENTS

4.1. Byrne SCIP Funds

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

4.1.1. Allowable Use of Funds

- a. General Salaries and Personnel Costs: Payment of personnel costs are allowable if costs are a part of an approved project and are necessary and incidental to project implementation and operation. Overtime pay will only be approved by OCJP on a case by case basis.
- b. 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. 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.
- c. Clothing and Furniture Costs: Payment of clothing and furniture must be pre-approved by OCJP before a purchase is made.
- d. Professional Fees: If the implementing governmental agency 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.
- e. 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 was supported by Award No. (insert award number) awarded by the Bureau of Justice Assistance, Department of Justice.”

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.”

- f. 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.

- g. 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.
- h. 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.
- i. 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.
- j. 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:

Meeting Room/Audio Visual Services: Lesser of \$25 per day per attendee or \$20,000.
Logistical Planners: Lesser of \$50 per attendee or \$8,750.
Programmatic Planners: Lesser of \$200 per attendee or \$35,000.
Food and Beverage: Generally not allowed.
Refreshments: Generally not allowed.

4.1.2. **Byrne SCIP Program Requirements**

- a. Comply with Federal Rules Regulating Grants: Sub-recipients must comply with the applicable provisions of the program guidelines (found at [28 C.F.R. Part 94](#)), and the requirements of the DOJ Grants Financial Guide, which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of funds received. This includes: Financial documentation for disbursements, daily time and attendance records specifying time devoted to allowable services, the portion of the project supplied by other sources of revenue, job descriptions, contracts for services, and other records which facilitate an effective audit.
- b. Maintain Civil Rights Information: Maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability, within the timetable established by the state grantee, and permit reasonable access to its books, documents, papers, and records to determine whether the sub-recipient is complying with applicable civil rights laws.
- c. 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.

- d. Research and Evaluation Independence and Integrity (if applicable): If an application involves research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Application must include Certification - Research Independence and Integrity.

- e. 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.

4.1.3. **Unallowable Byrne SCIP costs**

Please reference [Chapter XV. Unallowable Costs](#) of the OCJP Grants Manual for full explanations and restrictions regarding generic Unallowable Costs.

ERPO: Byrne SCIP funds cannot be used for Extreme Risk Protection Orders (ERPO) programs.

Food and Beverages: Food, snacks, and beverages are not allowed under Byrne SCIP funding.

Construction: Use of grant funds for construction projects is prohibited under both state and federal guidelines for this program.

Land Acquisition: Acquisition of land with Byrne SCIP grant funds are prohibited.

Supplanting: Federal funds must be used to supplement existing State and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose. Supplanting will be reviewed during the application process, post-award monitoring, and audit.

Generic Unallowable Costs:

- Construction,
- Land acquisition (Purchase of real property),
- Any expenditures that reflect supplanting,
- Compensation of federal employees,
- Travel of federal employees,
- Bonuses or commissions,
- Military type equipment,
- Lobbying,
- Fundraising (including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions),
- Corporate formation,
- State and Local taxes,
- Trainings and workshops have unallowable cost restrictions,
- Food is unallowable, except food provided directly for victim's needs,
- Legal fees,
- Cost in applying for this grant,
- Any expenses prior to the grant award date,
- First class travel,
- Management or administrative training,
- Gas or gift cards,
- Sole source contracts (without the prior written approval from the OCJP),
- Cost incurred outside the project period, and
- Administrative liability insurance.

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.

Please Note: This list is NOT ALL-INCLUSIVE. For further clarification, contact OCJP or refer to the JAG portion of the OCJP Grants Manual at the following link: [OCJP Grants Manual](#).

5. PROGRAM REQUIREMENTS

5.1. Other Federal and State Program Requirements

Each sub-recipient organization shall meet the following **requirements that apply to all applicants unless otherwise specified**:

- 5.1.1. Confidentiality: Each agency that receives a grant from the Office of Criminal Justice Programs (OCJP) to provide direct services to victims of crime should have a confidentiality policy in place to protect confidential personally identifying information. Furthermore, confidentiality statements should be signed by all staff, volunteers, interns, board members, etc. and should state, at a minimum, that s/he will protect the personally identifying information of all persons contacting the agency for service, regardless of whether these persons actually receive services from the agency. For further confidentiality requirements, please see the OCJP Grants Manual, [Chapter XX, Retention of and Access to Records](#), Confidentiality Policy, and [28 C.F.R. 94.115](#).
- 5.1.2. Items Requiring Pre-Approval: The following budget items must be pre-approved: capital purchases, depreciation, Sensitive Minor Equipment, furniture, clothing and other categories specifically noted in the description.
- 5.1.3. 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 taken to the Tennessee Bureau of Investigation (TBI).
 - b. TIBRS Reporting Requirement: The Agency shall ensure that they comply with the rules and regulations of the Tennessee Bureau of Investigations (TBI) as empowered by Tennessee Code Annotated (TCA) 38-10-101 et seq. with regard to the Tennessee Incident Based Reporting System (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) Requirement: 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.
 - f. Use of Force Requirement: The Agency must have a certification from the Tennessee Association of Chiefs of Police regarding their Use of Force policies. The Agency must also comply with TCAs 38-3-121, 38-8-101, 38-8-113, 38-8-1288:131, and 40-6-105.

Please note that 5.1.3. a-f are also federal requirements.

- 5.1.4. Evidence-Based Programming: Agencies should employ evidence-based programming in their grant project or use best practices (as identified in research) in the implementation of their proposed project. Framework for evidence-based programming has a logic model, or a theory of action, that guides its operation. Outputs are process measures, while outcomes communicate impact on participants or systems over time. The evidence and strong evidence steps indicate that the program is supported by at least one rigorous evaluation. Various factors can prevent a program from being rigorously evaluated, so ultimately the expectation is that all Tennessee programs are at least measuring outcomes. Websites such as [Results First Clearing House](#) offer

resources that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

5.1.5. 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

5.1.6. 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.

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

a. SAM Generated Unique Entity Identifier (UEI): The Grantee will obtain a Unique Entity Identifier (SAM) and maintain its number for the term of this Grant Contract. More information about obtaining a Unique Entity Identifier can be found at <https://www.gsa.gov>.

b. 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:

(1) 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

(2) \$25,000,000 or more in annual gross revenues from Federal procurement contracts, and Federal financial assistance subject to the Transparency Act; and,

(3) 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 [Executive Compensation | Investor.gov](#))

5.1.8. Additional State or Federal Funds Received: The sub-recipient agrees that if it currently has a contract with OCJP and receives additional state or 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.

- 5.1.9. **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.**
- 5.1.10. **Subject to Funds Availability:** Funding is subject to the appropriation and availability of federal 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.
- 5.1.11. **Tennessee Department of Revenue Registration:** Pursuant to Tennessee Code Annotated (TCA) 12-3-306 all sub-recipients must comply with the Retailers' Sales Tax Act compiled in TCA 67-6-8 101 et seq. All sub-recipients 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](#).

To determine eligibility click on the **link above** and navigate in the following manner:
TNTAP < Help < TN Vendor Contract Questions.

Follow the instructions on this page to determine whether or not your agency requires as sales and use account or has a valid exemption.

If your agency is exempt please provide the exemption letter provided by the website with your application.

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 Drug Task Forces (DTF) and State and Local Law Enforcement.)

- 5.1.12. **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.

Applicants will be required to submit a [High Risk Designation Certification](#) if selected for funding.

- 5.1.13. **State Sponsored Insurance Plan Enrollment:** The subrecipient warrants that it will not enroll or permit its employees, officials, or employees of contractors to enroll or participate in a state sponsored health insurance plan through their employment, official, or contractual relationship with unless the subrecipient first demonstrates to the satisfaction of the Department of Finance and Administration that it and any contract entity satisfies the definition of a governmental or quasigovernmental entity as defined by federal law applicable to ERISA.
- 5.1.14. **Prohibited and Controlled Equipment and Associated Procedures:** The JAG statute, at 34 U.S.C. § 10152(d), specifically identifies a list of prohibited items. In addition, consistent with Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety of May 25, 2022, the use of grant funds for the purchase

or transfer of certain equipment has been designated as prohibited or controlled starting with FY 2023 OJP grant funds. Details and associated procedures for requesting prior approval, where applicable, can be found in the [Prohibited and Controlled Equipment Guidance](#).

- 5.1.15. Limited English Proficiency Compliance with Title VI of the Civil Rights Act of 1964, which prohibits grantees from discriminating on the basis of national origin in the delivery of services or benefits, entails taking reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to their programs and activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To assist grantees in meeting their obligation to serve LEP persons, DOJ has published a number of resources, including a language access assessment and planning tool. Additional resources are available on the Office of Civil Rights webpage. Grantees should contemplate how their program budget supports the costs for providing interpretation and translation services to eligible LEP persons or be able explain how language access will be provided if grant funds are not needed for this purpose.

5.2. Additional Program Requirements

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](#).

6. FINANCIAL REQUIREMENTS

- 6.1. OCJP grants are governed by the provisions of the Office of Management and Budget (OMB) Uniform Guidance applicable to financial assistance. The sub-recipient must follow [OMB Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements](#) (Uniform Guidance). Additional information and guidance are contained in the fund source chapters of the OCJP Grants Manual available from the Office of Criminal Justice Programs upon award of grant funds or by referring to 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:
- 6.1.1. 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 employee's 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.
- 6.1.2. 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 subrecipient's cognizant agency. The subrecipient's 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 will adhere to the CPO Policy 2013-007 (posted online at <https://www.tn.gov/generalservices/procurement/central-procurement-office--cpo-/library-.html>) for Cost Allocation Plans for Subrecipients of Federal and State Grant Monies.

Each budget object line-item expense is defined by the U.S. OMB's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E Cost Principles (posted on the Internet at: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-E>) and CPO Policy 2013-007 (posted online at <https://www.tn.gov/generalservices/procurement/central-procurement-office--cpo-/library-.html>).

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 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.

- 6.1.3. 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. **Indirect costs cannot be used as match. If electing to use the De Minimis rate, fill out and submit with application [the certification of De Minimis rate](#).**

6.1.4. **Multiple Year Contracting:** Multiple year contracting reduces unneeded paperwork and duplication for OCJP, as well as the sub-recipient's office. This reduction in bureaucratic paperwork allows the sub-recipient 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 federal and state appropriations.**

6.1.5. **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 Strategic Technology Solutions (STS) in the Department of Finance and Administration prior to the signing of the grant contract with OCJP.

6.1.6. **Solvency:** Agencies not solvent at the time of application are not eligible to apply for funding.

6.1.7. **Reporting Irregularities:** The subrecipient is responsible for promptly notifying OCJP and the State of Tennessee Comptroller of any illegal acts or irregularities and or proposed actual actions. Please notify the State of Tennessee Comptroller Hotline at 1-800-232-5454 of any irregularities that occur. Illegal acts include: conflicts of interest, falsification of records or reports, misappropriation of funds or other assets, and/or fraud, waste or abuse. For additional information, please refer to the Tennessee Comptroller of the Treasury website here: <http://www.comptroller.tn.gov/la/LGSfraudReporting.asp>.

7. REPORTING REQUIREMENTS

The sub-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 OCJP Grants Manual, [SCIP Reporting Table](#). 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.

Any additional reports required will be determined by the scope of the project.

7.1. Programmatic Reporting

- 7.1.1. Quarterly Performance Measures Reports: Project Directors will submit the applicable required Quarterly Performance Report online at <https://ojpssso.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.
- 7.1.2. 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: [Byrne SCIP](#).

7.2. Fiscal Reporting

Sub-recipient 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.

- 7.2.1. 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 sub-recipients 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.
- 7.2.2. 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 sub-recipient based upon actual costs incurred by the sub-recipient in carrying out the activity of the grant. As the sub-recipient 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 sub-recipient.
- 7.2.3. 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](#). The Quarterly Program Income Summary Report is due quarterly no later than fifteen (15) calendar days after the close of each State fiscal year quarter (July 1 - September 30), (October 1 - December 31), (January 1 - March 31), (April 1 - June 30). If the project does not earn income, then the agency may submit an annual report due no later than fifteen (15) days after the end of the fiscal year or end of the grant period. These reports are completed online at the following link: [Income Summary Report](#).
- 7.2.4. 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.

7.3. 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 Chapter XIX. D](#) within the time period required.

8. APPLICATION EVALUATION

8.1. 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 sub-recipient 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 sub-recipient.

Applicants will be notified whether their application is approved for funding prior to the start date identified in this solicitation.

8.2. 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.