

**Justice Assistance Grant Program  
(JAG)**

**Catalog of Federal Domestic  
Assistance (CFDA) Number:  
16.738**

**Application Guidelines and  
Instructions**

**Justice and Public Safety  
Cabinet  
Grants Management Division  
125 Holmes Street  
Frankfort, Kentucky 40601  
(502) 564-3251**

## Table of Contents

Introduction .....	4
JAG Funding Priorities, 2019 – 2024 .....	4
Award Period .....	5
Application Open Period Dates .....	5
Subaward Information.....	5
Electronic Grants Management System.....	6
Eligibility and Requirements.....	9
Special Requirements for Drug Task Forces.....	11
General Financial Requirements and Instructions.....	13
Application.....	19
Budget.....	19
Reporting Requirements.....	28
Grant Award Modifications.....	29
Budget Checklist .....	32
Personnel.....	32
Contractual Services .....	32
Travel/Training .....	32
Operating Expenses .....	33
Equipment.....	33

**State Administering Agency**

Kentucky Justice and Public Safety Cabinet

**Contact Information**

125 Holmes Street

Frankfort, Kentucky 40601

(502) 564-3251

**VAWA Contacts****Program Administrator**

Lana Grandon

502.564.8249

Lana.Grandon@ky.gov

**Financial Analyst**

Kara Campbell

502.564.8236

[kara.campbell@ky.gov](mailto:kara.campbell@ky.gov)

## Introduction

This solicitation establishes program and financial policy as well as provides administrative guidance to effectively manage the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. There are additional instructions for the JAG application, grant management processes, and post-award requirements.

The Program & Financial Guidelines and Instructions are consistent with the U.S. Department of Justice (USDOJ) and Bureau of Justice Assistance (42 USC 3750, et seq.). Funds distributed by USDOJ are awarded, through a competitive process, by the Justice and Public Safety Cabinet (JPSC) to state agencies, units of local government, and private nonprofit organizations. Successful applications must comply with priorities established by USDOJ, BJA, and JPSC.

The JAG program is the primary vehicle of federal criminal justice funding to states and local jurisdictions. The purpose of the JAG Program is to assist state agencies and units of local government in carrying out specific programs, which offer a high probability of improving the functioning of the criminal justice system. JAG Program funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following federally defined purpose areas:

- Law enforcement programs,
- Prosecution and court programs,
- Prevention and education programs,
- Corrections and community corrections programs,
- Drug treatment and enforcement programs,
- Planning, evaluation, and technology improvement programs,
- Crime victim and witness programs (other than compensation),
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

Historically, Kentucky has placed special emphasis on multi-jurisdictional drug and narcotics task forces that advance statewide drug control priorities. However, moving forward Kentucky will expand available discretionary funding for other projects that fall within the JAG Purpose Areas listed above. All proposals must demonstrate a direct connection to one or more of the following JAG Funding Priorities.

### **JAG Funding Priorities, 2019 – 2024**

**Priority 1:** To provide meaningful addiction treatment and recovery services to help inmates and offenders overcome addiction and stronger substance abuse treatment and prevention programs to combat drug addiction within Kentucky communities.

*Funding will be used for programs proven to provide meaningful addiction treatment and recovery services for inmates and to decrease substance misuse and availability in Kentucky communities.*

**Priority 2:** To aggressively pursue and implement smart-on-crime reforms to reduce prison and jail populations and decrease recidivism while preserving public safety.

*Funding will be used to support evidence-informed recidivism reduction initiatives that target underlying drivers of recidivism and evidence-informed prison population reduction strategies that have been shown to minimize risk to the public.*

**Priority 3:** To address bias and racism in our justice system.

*Funding will be used for training programs proven to reduce bias and racism within the justice system and for obtaining technical assistance to develop new or revise existing policies and/or protocols to reflect best or promising practices for addressing and reducing bias and racism within criminal justice system agencies and among their employees.*

**Priority 4:** To strengthen law enforcement training to continue public safety in our communities.

*Funding will be made available to provide law enforcement with training on best practices for engaging communities and keeping them safe.*

**Award Period**

The standard award period is one year (12 months). For applications submitted in 2022, the award period will be October 1, 2022, through September 30, 2023.

**Application Open Period Dates**

The JAG 2022 – 2023 subgrant application opportunity will be available in *Intelligrants (IGX)* beginning Monday, May 16<sup>th</sup>, 2022, and will remain open until Friday, June 17<sup>th</sup>, 2021, at 6 p.m. ET.

**Subaward Information**

Maximum number of subawards GMD expects to make:	No established maximum.
Total amount <i>anticipated</i> to be awarded under solicitation:	~\$1,600,000
Amount awarded under previous solicitation:	~\$1,700,000
Period of Performance Start/End Date:	October 1, 2022 – September 30, 2023
Period of Performance Duration:	12 months
Federal Awards Anticipated for Usage:	

**Federal Award Number**

2020-DJ-BX-0019  
15PBJA-21-GG-00273-JAGX  
2022 (Award Number TBD)

**Period of Performance start and end dates**

October 1, 2019 – September 30, 2023  
October 1, 2020 – September 30, 2024  
October 1, 2021 – September 30, 2025

*All awards are subject to the availability of funds and to any modifications or additional requirements that maybe imposed by USDOJ or JPSC.*

## Electronic Grants Management System

All grant activities are managed through the Kentucky Justice and Public Safety Cabinet's (JPSC) electronic grants management system known as *Intelligrants 10.0 (IGX)*. Applications should be submitted via *IGX* by the submission deadline referenced in this document. New applicants must establish a user account at <http://kyjusticeigx.intelligrants.com/>. Please note validation of new user accounts will take 48-72 business hours. It is not necessary to establish an additional account for returning applicants.

Each user account will be registered as either an Authorized Official (AO) or Grant Administrator (GA). It is important to understand which user role should be assigned to members within your organization depending on the permissions, or functions, available to each user role. More than one individual in an organization may be assigned to the AO role, but applicants are encouraged not to assign all individuals as AOs. Applicants should follow the principle of least privilege when assigning user roles to maintain separation of duties to the greatest extent possible.

IGX User Role	Allowable Actions
Authorized Official (AO)	<ul style="list-style-type: none"> <li>• Initiate and populate grant application</li> <li>• Submit grant application</li> <li>• Add or remove users from your agency account</li> <li>• Sign the award binder</li> <li>• Create and submit a Grant Award Modification (GAM) request</li> <li>• Create and submit progress reports</li> <li>• Create and submit financial reports</li> </ul>
Grant Administrator (GA)	<ul style="list-style-type: none"> <li>• Initiate and populate grant application</li> <li>• <b>Note: This role cannot submit application</b></li> <li>• Create and submit a Grant Award Modification (GAM) request</li> <li>• Modify contact information, general information, and budget pages during "GAM Modification in Process" status</li> <li>• Create and submit progress reports</li> <li>• Create and submit financial reports</li> </ul>

The Authorized Official (AO), designated in IGX by the applicant, will receive a confirmation email upon successful submission of an application. This should be retained for the applicant's records. Applicants can view the status of their applications at any time prior to award notification using the Details section of the application landing page. Please contact Grants Management Division (GMD) staff prior to the submission deadline if a confirmation has not been received. Questions may be directed to the staff identified on the Contacts page or by e-mail at [JUSIGX@ky.gov](mailto:JUSIGX@ky.gov).

## Grant Proposal

All proposals should be concise, clearly written and should fully convey the project for which funds are being requested. Applications are submitted through *Intelligrants (IGX)*, the JPSC's electronic Grants Management System. Major points must be supported by current local facts and data, with appropriate citations. **Be sure to read the instructions at the top of each page before populating and saving.** The precision with which the applicant follows the instructions for each section of the application is an

important factor in application review. Most /GX text box application pages will track character limits (number of letters utilized) and display the maximum number of characters allowed per text box. It is highly recommended agencies use a Word document to create the application for several reasons. Word processing software will track the number of characters and allows for spelling and grammar corrections, formatting, and other changes. Also, /GX activity “times out” and returns to the login screen after 20 minutes. It may be easier to cut/copy and paste from a Word document so information is not lost after a period of inactivity.

### **System for Award Management Unique Entity Identifier**

All applicants for federal funds must include a Unique Entity Identifier (UEI) from the federal System for Award Management (SAM) in their application for a new award or a supplement to an existing award. A SAM UEI is a unique 12-character alpha-numeric value assigned to all entities (public and private companies, individuals, institutions, or organizations) who register to do business with the federal government in SAM. Vendors are required to complete a one-time process to provide basic information relevant to their organizations. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. If your agency is already registered in SAM then your agency was automatically assigned a UEI. First-time SAM registrants can request EEs by visiting <https://sam.gov/content/duns-uei> and then clicking the green Get Started button. Have your agency’s legal business name and address ready. **All agencies must elect to be viewable in SAM Public Search to allow GMD to verify their eligibility to receive federal funds.**

### **Requirement to Disclose Potential Conflicts of Interest**

Decisions related to the use of these funds must be free of undisclosed personal or organizational conflicts of interest. All applicants are required to disclose in writing any potential conflict of interest, either in fact or appearance, as defined by Section 3.20 of the *DOJ Grants Financial Guide*. Potential conflicts of interest must be disclosed on agency letterhead and uploaded to the Attachments Page of this application. Disclosures of potential conflicts of interest are required for each grant period regardless of existence or prior disclosure in a previously funded grant year.

### **Lobbying Disclosure Requirement**

As a matter of federal law (18 U.S.C.1913) federal funds may not be used by 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. All applicants must disclose the existence or nonexistence of lobbying activities by completing and attaching Form SF-LLL to the Attachments page. The Disclosure of Lobbying Activities form can be downloaded from: <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>.

### **Letters of Support**

All submissions must include three (3) original letters of support from agencies or organizations in the area(s) or jurisdiction(s) to be served by the project. Letters of Support should include a meaningful description of collaboration for proposed project success and must include names of agencies and signatures of authorized officials. Upload the letters on the Attachments page of the application.

**Allocation of Subawards**

Funds granted to Kentucky by the USDOJ are further subawarded by the JPSC to state agencies, units of local government, and not-for-profits to carry out programs and projects contained in an approved application that further the priorities established by the Commonwealth.

The JPSC is required to distribute to local units of government, in the aggregate, the portion of Kentucky's grant funds equal to the local government share of total state and local criminal justice expenditures for the previous fiscal year. As determined by the USDOJ, Kentucky's minimum pass-through requirement is 40.5% of the amount of federal grant funds received. Any funds not required to be passed through to local units of government may be used for programs administered by state agencies.



## **ELIGIBILITY AND REQUIREMENTS**

### **Public or Nonprofit Organization**

Any state agency, local unit of government (i.e. city, county, township, town, or Area Development District) or not-for-profit organization may apply for funding under the JAG Program. Jurisdictions designated as direct award recipients, as determined by the USDOJ, may not apply for additional funds except for funds requested for multi-jurisdictional Drug Task Forces or in circumstances where award funds are unavailable to the agency. In that circumstance, the applicant must contact GMD directly to discuss.

Applicants will be able to choose from one of three funding categories: **Restricted**, **Unrestricted** and **Drug Task Force**. The **Restricted** category is intended for smaller projects consisting primarily of equipment and/or overtime, and have a total project cost of \$10,000 or less. The **Unrestricted** category has no funding limit and is intended to fund larger scale programs. The **Drug Task Force** category is for those entities applying as multi-jurisdictional drug or narcotics task forces and have certain additional requirements (See Special Requirements for Drug Task Forces below).

Preference will be given to applicants or agencies operating in geographically diverse localities across the state.

Non-profit subrecipients of JAG funding are required to certify their status as a non-profit or tax-exempt organization by attachment of one of the following to the application.

1. A copy of the recipient's IRS 501(c)(3) designation letter.
2. A letter from the recipient's state/territory taxing body or state/territory attorney general affirming that the recipient is a nonprofit organization operating within the state/territory, OR
3. A copy of the recipient's state/territory certificate of incorporation that substantiates its nonprofit status.

All nonprofit subrecipients of JAG funding under this award agree to make their financial statements available to the public. GMD may post the required documents on the JPSC website.

### **Non-Discrimination.**

Entities receiving financial assistance from the federal government must comply with the Federal statutes and regulations that prohibit discrimination in federally assisted programs or activities. Subrecipients receiving Department of Justice (DOJ) funds, such as JAG funds, are required to obtain Federal Civil Rights Non-Discrimination training. The Office for Civil Rights ensures that recipients of financial assistance from DOJ and its components are not engaged in prohibited discrimination.

### **Non-disclosure of confidential or private information.**

State Administering Agencies and subrecipients of JAG funds shall, to the extent permitted by law, reasonably protect the confidentiality and privacy of persons receiving services under this program and shall not disclose, reveal or release any personally identifying information or individual information collected in connection with grant-funded services requested, utilized, or denied, and any individual client information without the informed, written, reasonably time-limited consent of the person about whom information is sought, except that consent for release may not be given by the

abuser of a minor, incapacitated person, or abuser of the other parent of the minor. If release of information is compelled by statutory or court mandate, State Administering Agencies or subrecipients of JAG funds shall make reasonable attempts to provide notice to victims affected by the disclosure of the information and take reasonable steps necessary to protect the privacy and safety of the persons affected by the release of the information.

State Administering Agencies and subrecipients may share: non-personally identifying data the aggregate regarding services to their clients and non-personally identifying demographic information in order to comply with reporting, evaluation, or data collection requirements; court-generated information and law-enforcement-generated information contained in secure governmental registries for protection order enforcement purposes; and law enforcement- and prosecution-generated information necessary for law enforcement and prosecution purposes.

Under no circumstances may an individual or recipient organization be required to provide a consent to release personally identifying information as a condition of eligibility for grant-funded services nor shall any personally identifying information be shared in order to comply with reporting, evaluation, or data-collection requirements of any program. Nothing in this section prohibits compliance with legally mandated reporting of abuse or neglect.

#### **Federal Civil Rights.**

Subrecipients must view the on-line OJP Civil Rights Non-Discrimination Training and acknowledge viewing of the training through submission of the JAG application and signed award documents. The OJP Civil Rights Non-Discrimination Training (six training videos) can be viewed on the OJP website at <https://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>.

#### **Determination of Suitability for Interacting with Participating Minors.**

If it is indicated within the application for this funding opportunity that a purpose of some or all of the activities to be carried out under the award is to benefit a set of individuals under 18 years of age, then the subrecipient may not permit any individual (other than a client, another participating minor, or another individual reasonably likely to only have brief and unintentional or personally-accompanied contact) to interact with any participating minor (individual under 18 years of age receiving services as part of this project) without first making a written determination of the suitability of that individual to interact with participating minors, based on current and appropriate information. If applicable, documentation of such written determinations shall be maintained at the program site and shall be reviewed by GMD as part of compliance monitoring. See <https://www.ojp.gov/funding/explore/interact-minors> for details of this federal requirement.

#### **Compliance with federal regulations regarding grants.**

Subrecipients must comply with the requirements of the USDOJ OJP Financial Guide, effective edition, <https://www.ojp.gov/funding/financialguidedoj/overview> which includes maintaining appropriate programmatic and financial records that fully disclose and document the amount and disposition of JAG funds received. Items that should be included are, at minimum, but not limited to: financial documentation for any disbursements; daily time and attendance records specifying time devoted to allowable JAG activities; job descriptions; and contracts for services.

### **Special Requirements for Drug Task Forces.**

- Drug Task Forces (DTFs) must communicate with Grants Management Division (GMD) and Office of Drug Control Policy (ODCP) staff, as required, to review their budgets before being considered for funding.
- DTFs must submit actual and expected outputs on the GMD provided “DTF Evidence-Based Performance Management Instrument” as an attachment to the grant application.
- DTFs must submit an operating budget which includes all sources and amounts of program funding for the agency as a separate attachment with the grant application.
- DTF director’s salaries are limited to a maximum 95% of total cost which may be considered for Justice Assistance Grant (JAG) funding.
- DTFs may not request JAG funds for costs related to out-of-state travel and training.
- DTFs must submit forfeiture reports at the close of each fiscal year from all participating cities and counties as required by KRS 218A.440 to the Kentucky Justice and Public Safety Cabinet
- DTFs must have a Commonwealth/County Attorney from their service region on their board of directors. A current list of board members, including contact information, must be submitted as an attachment to the grant application, with updates submitted to GMD as necessary.
- DTFs must have signed intergovernmental agreements with any local jurisdiction they are partnering with and performing law enforcement duties within. Copies of all current, signed intergovernmental agreements must be submitted as an attachment to the grant application, with updates submitted to GMD as necessary.
- DTFs must submit a Personnel Roster noting title/rank, funding source, and FT/PT status as an attachment to the grant application.
- DTFs must submit as a separate attachment with grant application a log providing proof that all task force enforcement personnel, including command staff and agents assigned to the task force, are in compliance with USDOJ’s on-line task force training requirement. Training certificates and log are to be maintained and updated, on site, as necessary. Copies of certificates should be submitted to your JAG Program Manager.
- In addition to these requirements, DTFs will comply with all other requirements, terms, and award conditions as described in the grant application.

#### ***Upon award:***

- DTFs must maintain records on site providing proof that each agent assigned to task force is a sworn officer of a participating law enforcement agency.
- DTFs will be required to comply with standards of operations and best practices, including deconfliction and intelligence sharing, working in partnership with Kentucky State Police, when applicable, as set forth by ODCP.
- DTFs must adhere to data collection and reporting requirements as stipulated by USDOJ, ODCP, and GMD.

## ALLOWABLE COSTS

### Indirect Costs and De Minimis

Agencies may charge a Federally negotiated indirect cost rate or the de minimis rate to JAG Awards.

**Indirect Costs.** Indirect Costs are those are the costs incurred by the subrecipient in support of general business operations, but which are not attributable to a specific federally funded project. Typical examples of indirect costs for most organizations will include the costs of operating and maintaining facilities and general administration such as salaries and expenses of executive officers, human resources administration, and accounting personnel.

Non-federal organizations that currently have a negotiated indirect cost rate agreement with a federal agency may request indirect costs; however, the organization must use the current negotiated rate. A copy of the approved negotiated indirect cost rate agreement letter from the cognizant federal agency must be uploaded with the application.

**De Minimis.** Subrecipients are permitted to charge 10% of the rate of the organizations Modified Total Direct costs (MTDC), also known as the *de minimis* indirect cost rate. MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, and travel. MTDC **excludes** equipment, capital expenditures, charges for patient care, tuition remission, scholarships and fellowships, and participant support costs. The 10% rate is also known as a “de minimis” indirect cost rate. Please see 2 C.F.R. § 200.14(c)(3) more information on MDTC.

Applicants should consult with their CPA or other financial professional to determine the amount of MTDC if the agency chooses to apply the *de minimis* rate.

Note: Subrecipients are not permitted to claim indirect costs for expenses that are also being apportioned as direct costs to the subaward. See 2 C.F.R. Section 200.403(d).

## UNALLOWABLE COSTS AND ACTIVITIES

JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out at 34 U.S.C. § 10152. JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, JAG funds may not be used (directly or indirectly) to pay for any of the following items unless DOJ certifies that extraordinary and exigent circumstances exist making them essential to the maintenance of public safety and good order:

- **Vehicles, vessels, or aircraft;** including unmanned aircrafts, unmanned aircraft systems or aerial vehicles.
- **Luxury items.**
- **Real estate** or acquisition of land as found in Section 501(d) of the Consolidated Appropriations Act of 2005.
- **Construction projects** (other than penal or correctional institutions as found in Section 505(c) of the Consolidated Appropriations Act of 2005).
- **Any similar matters.**

Additional information on prohibited expenditures under JAG, including the process to obtain prior approval to purchase a prohibited item(s), can be found within the JAG Prohibited Expenditures Guidance at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jagcontrolledpurchaselist.pdf> or within the JAG FAQs document at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-faqs.pdf>. (see Use of Funds section).

### **Fundraising.**

Costs of organized fund raising, including financial campaigns, solicitation of gifts and similar expenses solely to raise capital or obtain contributions, may not be charged as costs against the grant. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the grant. Nothing in this section should be read to prohibit a subrecipient from engaging in fund raising activities, as long as such activities are not financed by federal or match grant funds.

### **GENERAL FINANCIAL REQUIREMENTS AND INSTRUCTIONS**

Grants funded under the JAG grant program are governed by the financial requirements of the following:

- 2 CFR Section 200 – Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards  
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>
- U.S. Department of Justice, 2022 Grants Financial Guide  
[https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/DOJ\\_FinancialGuide.pdf](https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/DOJ_FinancialGuide.pdf)
- Justice and Public Safety Cabinet, Grants Management Division (GMD), Management Policy and Procedures Manual  
<https://justice.ky.gov/Departments-Agencies/GMD/Documents/GMD%20POLICY%20and%20PROCEDURE%20MANUAL%204-21-21.pdf>
- Kentucky Finance and Administration Cabinet, Manual of Policies and Procedures  
<https://finance.ky.gov/office-of-the-secretary/office-of-policy-and-audit/Documents/FINAL%202015%20FAP%20Manual%20corrections%20%28Pg%2080%20revision%20+%2011-43-00%29%20071516.pdf>
- Equitable Sharing of Federally Forfeited Property for State & Local Law Enforcement Agencies  
<https://www.justice.gov/criminal-afmls/file/794696/download>

Requests for reimbursement may be submitted on a monthly or quarterly basis. This method must be used throughout the award period once the selection has been made. Reimbursement payments may be delayed if subrecipients do not adhere to program and financial reporting requirements.

### **Sound Financial Management**

All subrecipients are required to establish and maintain accounting systems and financial records to accurately account for awarded funds. These records shall include federal funds and all matching funds of state, local, and private organizations, when applicable. Subrecipients shall expend and account for grant funds in accordance with federal and state laws, and procedures for expending and accounting for their own funds.



New applicants must upload a Financial Capability Form to the Attachment page of their application in /GX. This form may be downloaded at <https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/FinancialCapability.pdf>

### **Accounting System**

Subrecipients must maintain an adequate accounting system as defined in the DOJ Grants Financial Guide, II, Preaward requirements, 2.3 Standards for Financial Management Systems, Accounting System. This section is accessible online at <https://www.ojp.gov/funding/financialguidedoj/ii-preaward-requirements>. Subrecipients must have a financial management system in place to accurately record and report on the receipt, obligation, and expenditure of grant funds. The accounting system should be detailed enough to track the following information:

- Federal awards funded
- Matching funds from state, local, and private organizations, when applicable
- Program income
- Contracts expensed against the award
- Expenditures

An adequate accounting system can be used to generate reports required by award and Federal regulations. An applicant's accounting system must support all the following:

- Financial reporting that is accurate, current, complete, and compliant with all the federal reporting requirements of your award.
- Accounting systems must be able to account for award funds separately. Commingling of funds is prohibited
- Maintenance of documentation to support all receipts and expenditures and obligations of Federal funds.
- Collection and reporting of financial data for planning, controlling, measuring, and evaluating direct and indirect costs.

Subrecipient accounting systems should have all of the following capabilities:

**Internal control.** The system should allow for effective control and accountability for all grant and subgrant cash, real, and personal property, and other asset. Subrecipients must adequately safeguard all such property and assure that it is used solely for authorized purposes. Adequate control also includes segregation of duties, or a control that prevents the same person from executing the multiple steps in a business transaction. For example, the person signing staff timesheets should not be the same person who submits the financial report requesting reimbursement of that personnel expense. Segregation of duties allows for a system of checks and balances that prevents and individual from having sole oversight of the expenditures and revenues of an entity. Please consult 2 C.F.R. § 200.303 for additional information.

**Budget control.** The system should compare actual expenditures or outlays with budgeted amounts for each subaward. It also must relate financial information to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the award agreement.

**Allowable cost.** The system should support you in making sure that you follow Federal cost principles, agency program regulations, and the terms of subgrant agreements are followed in determining the reasonableness, allowability, and allocability of costs.

**Source Documentation.** The system should require support for accounting records with source documentation (e.g. canceled checks, paid bills, payrolls, time and activity records, and contract and award documents).

### **Proration of Costs**

Applicants that conduct both allowable and unallowable activities must reasonably prorate their costs to ensure that JAG funds and match (both cash and in-kind) are only being used for allowable program activities. This proration method and rationale must be explained within the budget narrative.

### **Cost Allocation**

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined by the interrelationship of the work involved, the costs may be allocated or transferred to benefitted projects on any reasonable documented basis, with certain exceptions. See 2 C.F.R Section 200.405 for additional information.

### **Supplanting**

USDOJ defines supplanting as the reduction of funds from non-federal sources because of the receipt or expected receipt of federal funds budgeted for the same purpose.

Federal funds must be used to supplement existing state and local funds for program activities and must not replace those funds that have been appropriated or allocated for the same purpose. Additionally, Federal funding may not replace state or local funding that is required by law.

Potential supplanting will be the subject of the application review, pre-award review, post-award monitoring, and possible audit. If there is potential supplanting, the applicant/subrecipient will be required to supply documentation demonstrating that the reduction in non-federal resources occurred for reasons other than the receipt of federal funds. Additional guidance for subrecipients on the maintenance of documentation to sufficiently demonstrate non-supplanting can be accessed at Section 2.3 of the *DOJ Grants Financial Guide*, available at <https://www.ojp.gov/funding/financialguidededoj/ii-preaward-requirements>.

Funds specifically budgeted and/or received for one project may not be used to support another. Where a subrecipient's accounting system cannot comply with this requirement, the subrecipient should establish a system to provide adequate fund accountability for each project it has been awarded.

### **Match Requirements**

All JAG grants awarded by the Kentucky Justice and Public Safety Cabinet, Grants Management Division, require a 10% cash match. Match is restricted to the same use as allowed for federal funds.



Source for match funds must be identified in the original grant application. All applications must maintain records clearly showing the source, amount, and timing of all matching contributions. The match requirement must be calculated on total project cost. A state or local unit of government may use forfeiture funds as match, but may not use other federal funds.

### **Supporting Documentation**

Subrecipients must maintain appropriate financial records that fully disclose and document the amount and disposition of grant funds received. Specific examples of supporting documentation to substantiate grant disbursements and subrecipient compliance with the laws, regulations, conditions, and policies governing JAG awards are identified for each budget category in the Budget section of this document.

### **Program Income.**

Program income means gross income earned by the 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. See 2 C.F. R. Section 200.80. Examples of project income could include sale of property, attorney's fees and costs, registration/tuition fees, and asset seizures and forfeitures. Program income, where allowed, shall be subject to federal grant rules and the requirements of the DOJ Grants Financial Guide, which, as of March 2022, require in most cases that any program income be restricted to the same uses as the subaward funds and expended during the period of performance in which it is generated. Additional information about program income requirements is accessible online at <https://www.ojp.gov/funding/financialguidedojoiii-postaward-requirements#2kqnom>.

**Asset seizures and forfeitures.** Income received for the sale of personal or real property (e.g. cash, vehicles, real estate) seized as part of the activities of the project and awarded to the subrecipient under state or federal forfeiture law is program income. Program income resulting from forfeitures may be retained by the subrecipient to be used within the twelve (12) month project period as direct funding for the project. Under extenuating circumstances, e.g. receipt of an extremely large forfeiture award, receipt of a forfeiture award of \$10,000 or more in the fourth quarter of the grant period, etc., the subrecipient may request an extension of the award period to expend the funds through a GAM. Terms of the GAM will be established at GMD's discretion. Additional guidance can be accessed in the Grants Management Division Policies and Procedures Manual at <https://justice.ky.gov/Departments-Agencies/GMD/Documents/GMD%20POLICY%20and%20PROCEDURE%20MANUAL%204-21-21.pdf> and in the DOJ Grants Financial Guide 2022, III. Postaward Requirements 3.4 Program Income at <https://www.ojp.gov/funding/financialguidedojoiii-postaward-requirements#v66r2>.

## GUIDELINES AND INSTRUCTIONS

### **Applicant Information**

**Contact Information.** This page should describe those individuals that are eligible to serve as designated grant officials.

- **Authorized Official/Agency Representative/CEO.** The person authorized to apply for, accept, decline, or cancel the grant on behalf of the applicant's organization (e.g. state agency head, county judge executive, city mayor, county attorney, executive director, etc.). This person may delegate another agency official with authority to sign award documents and other grant documentation on their behalf, by attaching to the application a signed letter on agency letterhead documenting such designation.
- **Project Director/Agency Administrator.** The employee of the applicant who will be responsible for the day-to-day operation of the project and submitting program reports.
- **Financial Officer.** The chief financial officer of the applicant organization (e.g., county auditor, city treasurer, comptroller, etc.) who will be responsible for all the financial aspects of the grant's management including submitting the financial reports. Please note the Financial Office assigned to the award should not be assigned multiple roles. This ensures segregation of duties. The Financial Officer assigned to the grant award, or a designee not assigned in any other capacity on the award, shall be the only person to submit financial reports.

**General Information.** Includes the Project Title, past funding, Grant Period, Employer identification number (EIN), SAM Unique Entity Identifier and Agency Overview.

**Certifications.** Certifications regarding lobbying, debarment, suspension, and other responsibility matters and drug-free workplace requirements.

**Area Served.** Indicate Area Development District(s), county(ies), and Congressional districts served by applicant organization.

**Determination of Suitability to Interact with Participating Minors.** Determination of suitability is required, in advance, for certain individuals who may interact with participation minors. Upload a completed Determination of Suitability for Interaction with Minors Form, available for download on the application page, to demonstrate compliance with this federal award condition.

**Equal Employment Opportunity.** Applicants are advised to view the PowerPoint presentation from the Office of Civil Rights, U.S. Department of Justice before checking the applicable boxes at the bottom of the page and uploading the required documents.

**Audit Requirements.** Non-federal entities that expend \$750,000 or more in federal funds (from all sources including pass-through subawards) in the organization fiscal year (12 month reporting period) shall have a single organization audit conducted in accordance with the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Non-federal entities that expend less than \$750,000 per year in federal awards are exempt from federal audit requirements for that year. A financial audit may be required for any project expending more than \$100,000. Records must be available for review by appropriate officials including the federal agency, Justice and Public Safety Cabinet, JPSC Grants Management Division, and the General Accounting Office (GAO). A copy of the most current audit report and any management letter(s) are required with the submission of the grant application. Future audits are due no later than nine (9) months after the close of each fiscal year during the term of the award.

**Limited English Proficiency.** *Title VI of the Civil Rights Act of 1964* requires that the federal government and those receiving assistance from the federal government must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) persons have access to the programs, services, and information that those entities provide. Agencies must establish and implement policies and procedures for language assistance services that provide LEP persons with meaningful access without additional charge.

## **Application**

**Guidelines and Instructions.** Applicants are advised to read and understand the application Guidelines and Instructions prior to preparing an application. Applicants may contact GMD staff with questions or if clarification is needed.

**Terms and Conditions.** Applicants are advised to read application Terms and Conditions carefully every year before certifying, as terms and conditions are subject to change annually.

**Statement of the Problem.** Describe the specific problem or gap in services that will be addressed using grantfunds. Include supporting data for your area that will demonstrate this problem.

**Goals, Objectives, and Performance Measures.** Briefly state the long-term effects the project should achieve, identify a measurable result that the project will attempt to achieve, and provide monitoring and evaluation criteria for each objective.

**Project Activities and Operation.** Provide a concise summary of the proposed project, identifying the major tasks necessary to implement the project in the order in which they will occur including a timetable for completing these tasks.

**Attachments.** Required attachments such as the financial capability statement, conflict of interest disclosure, Advisory Group/Board Member List, Lobbying Disclosure Form SF-LLL, and DTF specific attachments should be attached here.

## **BUDGET**

There are five (5) budget categories: Personnel, Overtime, Contractual Services, Travel/Training, Operating Expenses, and Capital Expenses.

- Budget forms must be completed in detail, with amounts rounded to the nearest whole dollar.

- Program goals and objectives should be considered when generating the budget so that budget requests promote the overall effectiveness of the project.
- Budget revisions may be required later based on the availability of funds or expenses not allowable under JAG.
- A budget checklist is provided at the end of this section to assist you in completing the JAG application.

An overview is provided of each budget category. Allowable costs, compliance considerations, and supporting documentation requirements are included.

### Personnel

**Salary and Fringe Benefits.** Staff salary and fringe benefits, including overtime, are allowable when specifically related to implementing the project activities. JAG funds may be used to support administrative time to complete award required time and activity sheets, programmatic documentation, reports, and statistics; and to maintain project records.

Each position must be listed by title (and name of employee or to be hired “TBH”), total monthly gross salary rate for the employee, the percentage of time dedicated to the project activities, and total employee cost for the project. Please include the abbreviation to denote full-time (FT) or part-time (PT) status in the position title. *Example Position Title:* FT Task Force Officer (TBH).

- Where salaries apply to both project and non-project activity or apply to two or more separate projects or funding sources, pro-ration of costs to each activity must be made based on time and activity records.
- Salaries for federally funded and match positions shall comply with state, city, county, and other relevant classification systems and shall be documented by appropriate time and attendance records.
- Charges of the employees’ time assigned to grant projects may be reimbursed or recognized only to the extent they are directly and exclusively related to grant purposes and activities.
- Dual compensation is not allowed.
- Positions supported by multiple funding sources (allocated at less than 100% to the JAG project) must include a breakdown of job duties that clearly describes funded duties and non-JAG duties. The employee’s timesheets shall indicate such separation of time worked.
- A job description and resume of JAG Project Staff (or a placeholder document for unfilled or proposed new staff positions) must be attached.
- Payments for fringe benefits are allowable personnel costs but cannot exceed the amount paid by the employer. Documentation of fringe benefits must be submitted with the budget to reflect the actual rates being paid by the employer. The following are considered allowable benefits:
  - a. Health, Dental, and Life Insurance (up to the cost of a single plan)
  - b. FICA
  - c. Retirement
  - d. Worker’s Compensation
  - e. Unemployment Insurance

**Supporting Documentation – Personnel Costs.** Subrecipients are required to maintain supporting documentation for all personnel Expenses. Requirements include, but are not limited to:

- **Time and Activity Reports.** Time and activity reports for all grant-funded staff, including those used as match must:
  - a. Reflect an after-the-fact accounting of the total activity and hours worked for which the employee is compensated and indicate the specific time worked on the funded project. For example, a full-time employee working 40 hours per week performs 15 hours of funded project activities and 25 hours of activities not supported by JAG funds. 37.5% of the employee's salary for the week may be paid with JAG funds.
  - b. Be prepared at least monthly and coincide with one or more pay periods.
  - c. Include original signatures of the employee and approving supervisory official having first-hand knowledge of the work performed.
- **GMD Hiring Request Form.** *GMD Hiring Request Form* with GMD signature conveying approval of the use of grant funds for all grant-funded staff hired during the project period.
- **Invoices** and proof of payment for fringe benefits reflecting the actual costs paid by the employer.

### **Overtime**

Overtime pay can be included for personnel funded by the grant on a full-time basis whose duties are consistent with the JAG-funded project. Overtime pay must be approved through the original grant application or through a subsequent Grant Award Modification (GAM). For additional information, visit the U.S. Department of Labor Wage and Hour Division website: <https://www.dol.gov/agencies/whd>.

### Contractual Services

Compensation for individual consultant rates cannot exceed \$650/day or \$81.25/hour. An 8-hour day may include preparation, evaluation, and travel time in addition to the time required for the actual performance. Travel and subsistence costs may also be paid. Issuance of an award or approval of the award budget alone does not convey approval of a compensation rate that exceeds the established maximum. If the compensation rate for an individual consultant is not within the maximum compensation rate, none of the costs associated with the contractual expense are allowable costs to an award.

Contractual arrangements with individuals must ensure that:

- Dual compensation is not involved (e.g. the individual may not receive compensation from his/her regular employer and the JAG program for work performed during a single period of time even though the services performed benefit both).
- The contractual agreement is written, formal, proper, and otherwise consistent with the applicant's usual practices.
- Travel and subsistence costs are at an identified rate consistent with the most restrictive applicable financial policy.
- Subrecipient must screen all contractors and vendors for suspension or debarment from receiving federal funds. No grant funds may be paid to vendors or contractors who are

ineligible to receive them due to suspension or debarment.

Contracts must be submitted to GMD within 10 days of execution. If a subrecipient has paid a contractor with grant funds without a contract in place, the subrecipient may be required to repay all related contractual expenses for failure to properly support the use of award funds.

For each contractual line item requested, applicants should upload the following documents as a single PDF packet using the upload boxes available on the Contractual Services budget page:

- A copy of the proposed contractual agreement, if available. Dates should be specific to the project period. Compensation rate must be specified.
- Job description for any contractors who regularly function as agency staff members.
- Resume for any contractors who regularly function as agency staff members.

**Supporting Documentation - Contractual Services.** Expenses charges to the Contractual Services budget category shall be supported by the following:

- A copy of the fully executed contractual agreement.
- Invoices, if applicable.
- Receipts for travel and subsistence costs, if applicable.
- Procurement audit trail or approved sole source justification request, if applicable
- Documentation demonstrating subrecipient screened for contractor/vendor suspension or debarment prior to remitting grant funds.

For information on contract assistance including contract types and verbiage, see *Guide to Procurement Under DOJ Grants and Cooperative Agreements* at <https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/GuideToProcurementProcedures.pdf>

#### Travel and Training

Training costs for paid staff participating on the project are allowable. Use of JAG funds is limited to staff development and skill enhancement directly related to the project.

**If the travel and reimbursement policies of the applicant or subrecipient are ore restrictive than those of the Commonwealth, the MORE RESTRICTIVE rate must be followed.**

- Each request must include the purpose, destination, lodging, mileage rate, and per diem.
- JAG grant funds may be used for transportation, subsistence, and registration fees for applicants to attend conferences and training seminars.
- Travel must be approved through the original grant application or through a subsequent Grant Award Modification (GAM).
- Registration fees required for admittance to official travel meetings are reimbursable. If the fee entitles registrants to meals, claims for subsistence must be reduced accordingly.
- Requested travel expenses shall not exceed the established mileage and subsistence policy as set forth by the Commonwealth of Kentucky, Finance and Administration Cabinet. See 200 KAR 2:006 and <http://finance.ky.gov/services/statewideacct/Pages/travel.aspx> for current rates and regulations.

- Transportation must be the most economical.
  - Bus, subway, and taxi fares are allowed for city travel.
  - Commercial airline travel shall be coach/tourist class.
  - The cost of rental cars in lieu of ordinary transportation will be allowed only with acceptable justification.
  - Actual parking, bridge, and toll charges are reimbursable.
  - Reasonable expenses for baggage handling, for delivery to or from a common carrier or lodging, and for storage are reimbursable.

NOTE: If the travel and reimbursement requirements of the applicant agency are more restrictive than that of the Commonwealth, the most restrictive rate must be followed.

### **Exclusions – Travel and Training**

The following **cannot** be funded or used as match:

- Travel to enhance administrative or management skills
- Additional expenses for first class travel
- Telephone, tips, or laundry charges incurred at a lodging establishment
- “Gas cards” or comparable cards whose usage or expenditures cannot be tracked

### **Supporting Documentation- Travel/Training.**

Subrecipients are required to maintain supporting documentation for all Travel and Training expenses.

Requirements include, but are not limited to:

- Lodging receipts
- Travel log linking reimbursed costs with funded project activities
- Documentation of travel distance (e.g., Kentucky Official Highway Map, MapQuest, Google Maps, or similar mapping service) to support mileage reimbursement requests.
- Conference registration receipts, if applicable
- Proof of Payment

For additional guidance on travel expense reimbursement, see 200 KAR 2:006 and

[https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/New\\_Procurement\\_Guide\\_0.pdf](https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/New_Procurement_Guide_0.pdf)

### Operating Expenses

Operating expenses include items essential for the ongoing operation of the project. Allowable operating costs include but are not limited to:

1. Advertisement to recruit funded personnel
  - Books, training materials/manuals, videos, and/or resources used in the planning and operation of the program
  - Equipment usage fees supported by usage logs
  - Printing and distribution of brochures and similar announcements describing the project
  - Utilities and security for the space used by program whether owned, rented, or donated
  - Rental of office space or project performance site
  - Office supply line items can include consumable items, e.g. postage, paper, pens, notepads,

staples, etc.

- Printing. Any printed or electronic materials shall include a conspicuous acknowledgement of agency assistance and/or support that takes the form of the following footnote, *“This project was supported by grant number (insert correct number here) awarded through the Kentucky Justice and Public Safety Cabinet by the United States Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Kentucky Justice and Public Cabinet or the U.S. Department of Justice.”*
- Computers, tablets, printers, and other similar unites with a unit price of less than \$5000, regardless of useful life
- Federally negotiated indirect cost rate or de minimis rate.

### **Instructions**

Line items for operating expenses must be listed by category e.g. office supplies, training materials, telephones, etc., and included in the original grant application or the Grant Award Modification (GAM) prior to obligation of grant funds. Items that are individually represented on inventory logs, items assigned to specific individuals, and non-consumable items, e.g. computers, tablets, printers, etc., must be presented as discrete line items within the JAG budget to be eligible for reimbursement.

Confidential fund expenditures are limited to the purchase of evidence (physical), purchase of information (informant fees), and purchase of services (for undercover purposes). Guidelines related to confidential expenditures and management may be found in Chapter 16 of the Grants Management Division Policies and Procedures manual at <https://justice.ky.gov/Departments-Agencies/GMD/Documents/GMD%20POLICY%20and%20PROCEDURE%20MANUAL%204-21-21.pdf> and in the DOJ Grants Financial Guide 2020, III. Post Award Requirements, 3.12 OJP’s Confidential Funds at <https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#zxq5qk>. All applications for projects that will utilize funds for confidential expenditures must contain a certification that the guidelines will be followed.

### **Narrative Detailed Justification**

The narrative justification field should supplement the information already available on the budget details pages. At minimum, the narrative justification must indicate the basis for computation for each request as well as a brief discussion of the budget item(s) requested and how the budget costs elements are necessary to implement project activities and accomplish project objectives. The method for pro-rated or allocated costs must be fully described. For example, rental costs could be supported by a computation that considers the total square feet, total agency costs, proportion of funded staff within agency, and allocation percentage. Broader line-item categories should be itemized within the narrative justification field, and it should be clear if the costs will be used as match or funded by the grant.

### **Exclusions-Operating Expenses**

The following **cannot** be funded or used as match:

2. Direct costs if any other costs incurred for the same purposes in like circumstances have been allocated as indirect costs. See 2 C.F.R. Section 200.403(d).



- If the applicant agency or a related party owns the space used by the program, the fair market rental value of the space cannot be used a match or reimbursed under the federal share.
- Tax preparation fees
- Accounting services
- Equipment repair and maintenance for any item not purchased with JAG funds excluding allocated copy contracts that include toner, supplies, etc.
- In-kind rent when not supported by a recent, written, fair market rental value estimate from a real estate professional or landlord
- “Gas cards” or comparable cards whose usage and expenditures cannot be tracked care expenses
- Other costs such as liability insurance on buildings, capital improvements, property losses and expenses, mortgage payments, real estate purchases, construction.
- Audit costs, even if required under federal guidelines.
- Lawn care expenses.

### **Supporting Documentation- Operating Expenses.**

Subrecipients are required to maintain supporting documentation for all Operating Expenses.

Requirements include, but are not limited to:

Rental agreements

Utility bills

Invoices

Proof of payment

Document of federally negotiated indirect cost rate, if applicable.

### Equipment

This category includes items with a unit price of \$5000 or more and a useful life greater than one year, e.g., furniture, fixtures, office machines, etc., unless the applicant’s policies establish a more restrictive threshold.

Note: Items with a unit price of less than \$5,000 and less than one year of useful life should be placed in the “Operating Expenses” category, UNLESS the applicant’s own policies regarding capitalization are more restrictive. In this case, the applicant should follow their own capitalization policy and document the difference on the Equipment page in *IGX*.

The applicant must adhere to the following principles:

- Items of equipment must be individually listed and approved through the original grant application or in a subsequent GAMs prior to purchase.
- No other equipment owned by the applicant is suitable for the effort.
- Equipment purchased and used commonly for two or more programs has been appropriately prorated to each activity.

- Applicant has demonstrated the requested equipment is necessary to the successful operation of the grant project.
- Applicant must submit an *Equipment Purchase Authorization Form* to GMD and receive specific written approval from GMD prior to purchasing equipment.
- Authorization for equipment will be based on the applicant's demonstration that the requested equipment is necessary for the successful completion of the project.
- Equipment purchases funded with this award must be completed within the first four (4) months of the project unless specific written approval is given by GMD.

### **Exclusions - Equipment**

The following **cannot** be funded or used as match:

- Equipment or capital expenditures not determined by BJA or GMD to be necessary and essential to the planning and delivery of the programming.
- Reimbursement for equipment already owned by the applicant or purchased through another funding source.
- Any costs related to leasing or purchasing of a vehicle.

### **Supporting Documentation- Equipment.**

Equipment purchases shall be supported by invoices, photos of equipment, equipment inventory log, procurement audit trail or sole source justification requests, proof of payment to the vendor/supplier, and *Equipment Purchase Authorization Form* signed by GMD conveying specific written approval to purchase equipment. and proof of payment to the vendor/supplier.

### Source of Match

All JAG grants awarded by the Kentucky Justice and Public Safety Cabinet, Grants Management Division, require a 10% cash match. Match is restricted to the same use as allowed for federal funds. Source for match funds must be identified in the original grant application. All applicants must maintain records clearly showing the source, amount, and timing of all matching contributions. The match requirement must be calculated on total project cost. A state or local unit of government may use forfeiture funds as match but may not use other federal funds.

### Budget Narrative

As noted above, applicants must submit a budget narrative. The narrative should detail by category the federal and non-federal (cash and in-kind) shares. The purpose of the budget narrative is to relate items budgeted to project activities and to provide justification, explanation, and calculations budget items, including criteria and data used to arrive at the estimates for each budget category. Each budget page also has its own budget narrative field, that must be populated with budget narrative information for the expenses reflected on that page. The budget narrative should provide specific and detailed information to help application reviewers fully understand the budgetary needs of the applicant and is an opportunity to provide additional descriptive information, the rationale for how these elements were identified and how costs are allocated, as well as the ways in which the cost elements support the project's identified goals.

Together, the budget narrative and the budget detail pages should provide a complete financial and qualitative description that supports the proposed project plan.

### Budget Summary

The budget summary is auto populated with data from the other application pages and is not able to be altered by the applicant. If errors appear on this section, it often suggests there is a need to review and correct information that is presented on the budget detail pages.

### **Award Recommendation Process**

Each application will be reviewed by at least three (3) Subject Matter Experts (SMEs). SMEs will generate reviewer comments for each application, which will be made available to applicants upon request following award notification.

Risk assessments will be completed jointly in IGX by JAG Program and Financial Administrators. Funding will be prioritized for costs that advance Kentucky's program priorities. Targeted percentage reductions may be applied to reach the limit of available funds approved to be awarded under this solicitation.

### **Award Notification and Acceptance**

**Notification.** Finalization of the grant recommendations must occur with both the JPSC and Office of the Governor prior to the announcement of award decisions. Recipients of awards will be notified by e-mail and will receive further instructions on award acceptance from GMD staff via e-mail, telephone, or other means. Approved applicants may need to make modifications to the original submitted budget, based upon the amount of the actual award. Should this be necessary, additional instructions will be provided by GMD via electronic communication/e-mail. GMD makes every attempt to provide notification in advance of the start of the JAG award period.

**Budget Modifications.** GMD recognizes that agencies are the experts on the needs of their respective programming. GMD will not be proscriptive with how subrecipients rearrange their application budgets within the award amount during the budget modification phase. Except for denying unallowable costs, GMD will encourage subrecipients to reorganize their budgets to best meet the approved project scope and their agency's identified needs.

**Conditions of Awards.** Once budget modifications have been completed and the subaward assigned to a federal award, an Award Binder will be generated in *IGX*. All subgrant awards include general and special conditions the subrecipient must meet if the subgrant award is accepted. Subrecipients are encouraged to carefully read and understand the conditions as presented in the Award Binder prior to accepting the award. Questions may be directed to GMD staff.

If awarded JAG funds, the subrecipient agrees to refer promptly to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. Such reports may be forwarded to:

Office of the Inspector General  
US Department of Justice Investigations Division  
950 Pennsylvania Avenue, NW  
Room 4706  
Washington, DC 25030

**Award Acceptance.** When the subrecipient is notified the Award Binder is available in /GX, the subrecipient has 15 business days to accept the award by either electronically signing the Award Binder page in /GX or obtaining the appropriate signature on a printed version of same and submitting the entire award document to their JAG Program Manager via email.

If the acceptance process is not completed within the allotted time period, GMD reserves the right to withdraw the award. The award document must be signed by the Agency Authorized Official (AO).

The applicant agrees to commence project activities within (60) sixty days of the approved project start date. Non-commencement of project activities may lead to cancellation of the grant award. Evidence of project commencement shall be included in the first quarter Progress Report.

### **Reporting Requirements**

The subrecipient agrees to submit financial and program reports at least quarterly, as required. The subrecipient must collect and maintain data that measures the performance and effectiveness of work under this award. The data must be provided to BJA and GMD in the manner (including timeframes) specified by BJA in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws. The schedule for filing reports is as follows:

- Quarter 1 runs from October 1st – December 31st with reporting due January 15th;
- Quarter 2 runs from January 1st – March 31st with reporting due April 15th;
- Quarter 3 runs from April 1st – June 30th with reporting due July 15th;
- Quarter 4 runs from July 1st – September 30th with reporting due October 15th.

### **Performance Reporting**

**OVA Performance Management Tool (PMT).** Subrecipients are required to track project activities and progress toward project goals and objectives provided with JAG and matching funds. This information is reported quarterly on the BJA PMT form and submitted in the OJP Performance Measurement Platform. The PMT report is due 15 days after the close of each quarter.

**Progress Report.** Subrecipients provide a brief narrative of the project activities put in place to implement the project and the progress made toward each during the reported quarter. This information is reported on the quarterly Progress Report submitted in IGX. The Progress Report is due 15 days after the close of each quarter.

**Financial Reporting.** The Financial Officer assigned to the grant award, or a designee *not assigned in another capacity* on the award, should be the only person to submit financial reports. Failure to submit financial reports according to the time set forth may result in delays or withholding of funds. Financial reports can be submitted on a monthly or quarterly basis as determined by the subrecipient with

approval by GMD; however, once a method is selected, it cannot be changed during the grant period.

**Supporting Documentation.** Subrecipients shall submit GMD financial reports and a Financial Report Detail Form, which include itemized expenses requested for reimbursement. With each Financial Report, the subrecipient is required to attach an explanation of line-item expenses included for reimbursement in the report, using a template provided by GMD. Supporting documentation may be requested at any time by GMD, and unless instructed otherwise, subrecipients shall submit supporting documentation with every financial report. At a minimum, GMD will review at least 2 months of financial supporting documentation for monthly filers and one quarter for quarterly filers.

### **Hiring Requirements**

To be eligible for reimbursement, the hiring of grant-funded positions, including contract staff who regularly function as agency staff, must fulfill the requirements set forth in the Conditions of the Award to ensure competitiveness and avoid conflicts of interest, including:

- Publicly advertised job postings, ideally in an online posting that is separate from or in addition to subrecipient's organization website or social media accounts. If subrecipient chooses to advertise in a newspaper, it must be a major publication.
- Job description and requirements must be clearly conveyed in the posting. Where applicable, requirements must follow those outlined in the Kentucky Revised Statutes.
- Competitive interviews must be conducted with at least three candidates interviewed (two of which are external candidates).
- The intended hire's resume should indicate that they meet the minimum requirements of the position.
- *Conflict of Interest Disclosure Form* or other such comparable documentation addressing potential or actual conflicts of interest, if applicable.
- Verification of active licensure for positions requiring professional licensure.
- Adherence to subrecipient's written hiring policies.

A completed *GMD Hiring Request Form* and required attachments must be submitted to GMD staff, who will review for compliance, prior to a grant-funded position being filled. Documentation supporting all above listed requirements shall be included with the submission of the *GMD Hiring Request Form*. Failure to obtain prior approval for the use of grant funds to support a grant-funded position may result in all costs associated with the position being disallowed. Subrecipients may request in writing, from GMD, a hardship waiver of any of the above Hiring Requirements.

The hiring of grant-funded personnel must be free of undisclosed personal and organizational conflicts of interest, both in fact and appearance. The subrecipient at any tier must immediately disclose to GMD, in writing, any potential conflict of interest as defined in the *DOJ Grants Financial Guide*. Failure to do so may result in withholding of reimbursement, termination of the award, or other appropriate action.

### **Grant Award Modifications**

Changes in the overall scope of the project and material changes to the project and budget are unallowable without express written prior approval from GMD. The purpose of a Grant Award Modification (GAM) is to update award details, modifying key facts or details about the award. The

following changes require a GAM:

- **Change in Agency Representative/CEO, Project Director/Contact, or Financial Officer.** Updates to any key project contact listed on the Contact Information page in *IGX* are reflected through the GAM process.
- **Update award to reflect grant-funded staff resignations, terminations, and new hires.** GMD shall be notified in writing of all employee resignations or terminations within 30 days of occurrence. Subrecipients are required to follow the hiring requirements specified in award conditions for grant-funded personnel and contractual staff.
- **Budget revision.** Approval of a GAM request must be obtained prior to any obligation of grant funds not already approved in the most current version of the award documents. Revisions will not be retroactive.
- **Project period extension.** GMD will notify subrecipients if a no-cost extension has been granted by the Federal funder and convey related GAM process, if available.

GAM requests for JAG award must be submitted by **July 31<sup>st</sup>** of the grant year unless otherwise approved by GMD. Exceptions to the July 31st deadline for GAM request submissions are those to update an award's contact Information page or to reflect funded staff resignations, terminations, or hires conducted in accordance with the hiring requirements established in the award conditions.

The Federal award agreement creates a legal and binding obligation for direct recipients and subrecipients to use the award as outlined in the agreement. The USDOJ considers the deliberate redirection of the use of funds in a manner different from the propose outlined in the award agreement a failure to properly support the use of award funds, which constitutes misuse of award funds. More information is contained in the DOJ Gants Financial Guide, Section III. Postaward Requirements, 3.20 Grant Fraud, Waste, and Abuse, Common Grant Fraud Schemes at <https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#ytg3wm>.

### **GAM Process**

The GAM process employed by GMD begins through written correspondence between the subrecipient and assigned grant administrators. The subrecipient must submit a detailed budget spreadsheet and narrative of the proposed changes. After GMD has provided preliminary approval, the subrecipient may initiate the **Grant Award Modification Request** in *IGX*. GMD staff will then open the award documents for editing to allow the subrecipient to make the changes as approved in preliminary discussions with the assigned Program and Financial Administrators. GMD staff will perform a final review and will approve, deny, or request corrections to the GAM request. The award will be returned to **Award Approved** status upon final approval of the GAM changes.

Subrecipients and GMD staff are expected to process GAMs prior to the filing of the next financial report in which any tentatively approved GAM changes are reflected as expenditures. Please note that any *IGX* award status involving a GAM prohibits subrecipients from filing a financial report. If the initiation of a GAM would prevent a subrecipient to file a financial report by the specified deadline, subrecipients must communicate with the assigned JAG Financial Administrator to determine the appropriate sequence of actions. GMD may advise the subrecipient to file the GAM request immediately after the financial report is submitted.

**Training**

DTF subrecipients must comply with all BJA required training and reporting requirements for law enforcement officers and agencies. All non-DTF JAG funded staff must annually complete 12 hours of training on topics which will enhance their ability to perform their job duties. Training completed will be documented on quarterly progress reports in /GX.

## **BUDGET CHECKLIST**

This checklist is for your convenience in preparing your application. It is for your use only and should not be submitted with the application.

### **Personnel**

#### *Salaries*

- Is each position identified by title? Example: FT Task Force Officer (TBH)
- Are time commitments stated?
- Is the amount to each employee's annual compensation stated?
- Are there any dual personnel compensation costs?
- Has a job description and resume been attached to each personnel page?
- Are salary increases anticipated during the grant period? If so, are the increases justified in the narrative?

#### *Benefits*

- Is each benefit type indicated separately?
- Have the requests been cost allocated, when appropriate?
- Are the listed benefits available to all employees of the agency?
- Are fringe benefit increases anticipated during the grant period? If so, are the increases justified in the narrative?
- Have the computations used to arrive at requested amounts been included in the narrative?

### **Contractual Services**

- Is each service described?
- For individual consultants, has an hourly or daily rate been conveyed in the narrative?
- Is the compensation rate for individual consultants within the maximum allowable compensation rate?
- Are base rates justified and reasonable?
- Does the total value of any contractual service exceed the procurement threshold of the Commonwealth or that of the applicant agency? If so, has the applicant indicated that services have been or will be obtained by acceptable procurement procedures?
- If the applicant plans to submit a sole source justification request to GMD, has this been indicated in the narrative?
- Have the computations used to arrive at requested amounts been included in the narrative?

### **Travel/Training**

- Is the purpose of the requested travel directly related to the proposed project?
- Are per diem, lodging and transportation costs listed separately?
- Have the most economical methods been selected?
- Have the appropriate project personnel been identified for the travel?
- Have the computations used to arrive at requested amount been included in the narrative?



### **Operating Expenses**

- Are operating expenses listed by types (e.g. supplies, rent, postage, etc.)?
- Are unit costs or monthly estimates provided?
- Will appropriate procurement procedures be followed?
- Have the computations used to arrive at requested amounts been included in the narrative?

### **Equipment**

- Are equipment items specified by units and cost?
- Is the requested equipment project-related?
- Will the purchased equipment be used 100% in the project? If not, has the cost been allocated across funding sources and the calculations provided?
- Does the agency already own any equipment suitable for the project?
- Does the total value of any equipment exceed the procurement threshold of the Commonwealth or that of the applicant agency? If so, as the applicant indicated those services have been or will be obtained by acceptable procurement procedures?
- If the applicant plans to submit a sole source justification request to GMD, has this been indicated in the narrative?

### **Source of Match**

- Is the source of match identified?
- Is the minimum (10%) cash or in-kind match requirement met for currently funded projects if required?

### **Budget Summary**

- Are all requested costs justified, reasonable and allowable?
- Are requested costs properly categorized?
- All are line-item calculations correct and equal the category totals?
- Have the appropriate costs/percentages been identified as federal and match?
- Have the computations used to arrive at requested amount been included in the narrative?