



Nevada Department of
Public Safety
Office of Criminal Justice Assistance

Grant Administrative Manual
for
Project Directors & Financial Managers

U.S. DEPARTMENT OF JUSTICE
GRANT PROGRAMS

ADMINISTERED BY THE

OFFICE OF CRIMINAL JUSTICE ASSISTANCE



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Chapter 1 – Introduction

The Nevada Department of Public Safety, Office of Criminal Justice Assistance (OCJA) is the State Administering Agency (SAA) for Department of Justice Grants with the goal to support projects that make improvements to Nevada’s criminal justice system.

OCJA administers federal grant funds to pass-through to state and local units of government and Native American tribes performing law enforcement functions. Eligible entities also include faith-based and non-profit organizations providing reentry, drug treatment programs, prevention and education programs, and prosecution and court-related programs.

This manual is a primary reference for subrecipients in managing their financial and programmatic responsibilities and to safeguard grant funds for their specified purposes and identified scope of work. Subrecipients must comply with the administrative terms and conditions of subgrant awards. Failure to comply with these requirements may result in the withholding or disallowance of grant reimbursements, the reduction or termination of the grant award, and/or the denial of future grant awards. Subrecipients agree to provide data applicable to the funded award.

To comply with federal and/or state grant administrative regulations, OCJA may modify and/or impose additional award conditions not outlined in this manual. OCJA makes modifications or additions to current award conditions in writing, notifying current subrecipients of the modifications/additions. The subrecipient is ultimately responsible for confirming current information. Please contact OCJA with any questions about the programs it administers.

For additional information on grants management, please contact OCJA staff at (775) 687-1500 or visit the website at www.ocj.nv.gov. Staff will respond to any questions.

Direct any questions about this manual to the:
Office of Criminal Justice Assistance
1535 Old Hot Springs Road, Suite 10
Carson City NV 89706
<http://ocj.nv.gov/>
Phone: (775) 687-1500 Fax: (775) 687-4171

Nevada Department of Public Safety
Office of Criminal Justice Assistance Staff

Excerpts from the following documents are used within this manual: The U.S. Department of Justice, Office of Justice Programs, Financial Guide; The Byrne JAG Formula Grant Program Guidance; The Colorado Division of Criminal Justice Administrative Guide and Instructions; <http://gsa.gov/perdiemrates>, <https://www.gsa.gov/travel/plan-book/per-diem-rates/frequently-asked-questions-per-diem> .

Grants Available through OCJA

Edward Byrne Memorial Justice Assistance Grant Program (JAG) Provides funds to assist state and local units of government and Native American tribes performing law enforcement functions. Funding is for projects to improve the criminal justice system involving usage and sales of controlled substances and associated violent crimes. Other eligible entities include faith-based and nonprofit agencies providing drug treatment programs, corrections, prevention and education programs, prosecution and court-related programs.

Forensic Science Improvement (FSI)

FSI grants provide States and units of local government with tools needed to meet the challenges of crime and justice. Specifically, this program seeks to improve the quality and timeliness of forensic science and medical examiner services, including services provided by laboratories operated by States and units of local government. Nevada has used funds for equipment, overtime and travel for forensic scientists to attend trainings and conferences for forensic labs at Las Vegas Metropolitan Police Department (LVMPD), Washoe County Sheriff's Office (WCSO) and Henderson Police Department (HPD). The ever-changing science and technology associated with forensics requires continuous training and updated equipment.

National Criminal History Improvement Program (NCHIP) - Assists with funding for the Multi-County Integrated Criminal Justice Information System and to fund the Department of Public Safety, Records Communication and Compliance Division (RCCD), to improve public and criminal justice agencies access to criminal history information, including sex offender registration.

National Instant Criminal Background Check System (NICS) and National Act Record Improvement Program (NARIP) implements the grant provisions of the NICS Improvement Amendments Act of 2007 (Pub. L. 110-180 (18 U.S.C. § 922 note)). This program seeks to improve the records available to NICS, which is accomplished by helping eligible states and tribes improve completeness, automation, and transmittal of records to state and federal systems. The Nevada Department of Public Safety and the Records Communication and Compliance Division (RCCD) have used funds from this grant to provide a needs assessment for the Computerized Criminal History program, and most recently to fund 10 full-time employees (FTE) for data entry of disposition backlogs in order to be compliant with federal (FBI) requirements.

Residential Substance Abuse Treatment for Prisoners (RSAT) Funding assists States and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional and detention facilities in which prisoners are incarcerated. Specifically, the program is structured to provide treatment for a minimum of six months in an area separate from the prison population, and less restrictive for jail populations. The funding amount is based on prison population.

Project Safe Neighborhood (PSN)

The United States Attorney's Office for the District of Nevada (USAO) provides leadership in maintaining robust partnerships with state and local law enforcement, prosecution, and involvement with community organizations to combat gun and gang violence to make communities safer. PSN grant funding is used to build rapport with community leaders, enhance lines of communication, and enhance mechanisms for seeking community support to identify and report on gang activities through a community outreach component.

Prison Rape Elimination Act (PREA)

This program's mission is to provide resources to state governments to implement comprehensive approaches to address the detection, prevention, and response to sexual abuse within confinement environments. Nevada's Department of Corrections uses these funds to become compliant with federal PREA requirements by providing training and equipment to the department.

Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART)

This program assists states, certain federally recognized Indian tribes with implementation and ongoing maintenance of requirements under the Adam Walsh Child Protection and Safety Act of 2006, specifically Subtitle A of Title I, the Sex Offender Registration and Notification Act

(SORNA). The Nevada Department of Public Safety, and the Records Communication and Compliance Division (RCCD) funds for equipment, supplies and hiring of three temporary employees to: automate document handling to facilitate secure record storage, increase retrieval time and develop manageable record retention practices, convert inactive case files to digital records as federally required and prepare and transfer existing hard copy case files to State library and archives.

Byrne State Crisis Intervention Program (SCIP) OCJA is designated to receive and administer the BJA FY 2022 - 2023 Byrne State Crisis Intervention Program Formula Grant. Funding will provide resources statewide for state agencies, local agencies and communities to address gun violence and those in mental health crisis to provide added protection to keep Nevada's citizens and tourists safe. Potential programs may include Behavioral Health Deflection Programs, specialized court programs, community-based programs, behavioral health in schools, and projects that address the mental health crisis. States are required to pass through 40 percent of the award to local government agencies. Priorities are established by a Statewide Crisis Intervention Advisory Working Group.

Chapter 2 – Application Process

How to apply for grants

OCJA posts most state solicitations on its website, and/or sends notifications to the current list of agency points of contact and those who have requested to be notified. Requests for funding must be submitted on current OCJA Subrecipient application forms that may be requested from OCJA at ocja@dps.state.nv.us or by calling (775) 687-1500.

Requests for grant funding are accepted during the open application time period determined by OCJA and must be submitted to the OCJA office by email to ocja@dps.state.nv.us.

Application Guidelines are available on the OCJA website: <http://ocj.nv.gov>

OCJA strongly recommends carefully reading the Subaward Application and Guidelines before completing the application, as missing elements or criteria may jeopardize funding.

Applicant's responsibilities include fiscal integrity and financial capability to adequately and appropriately use federal funding.

Eligible Recipients – Eligibility requirements differ between grants and are defined by the federal solicitation. Most grants are available to state and local units of government, and Native American tribes performing law enforcement functions. As the State Administering Agency (SAA), OCJA may issue a subaward to a non-profit, neighborhood, or community-based organization with a waiver if the entity is administering a:

1. Criminal justice project that would benefit the entire State.
2. Criminal justice project that will benefit a local jurisdiction.
3. Non-profit that is in partnership with a local law enforcement agency to provide criminal justice services to designated "units of local government".

Non-profit agencies require the sponsorship of a local unit of government; therefore, please contact OCJA for specific requirements.

Project Personnel – Consists of the following subrecipient staff.

Agency Authorizing Official (AAO) The sheriff, police chief, division chief, or other agency official ultimately responsible for this project/program. This person signs the Subrecipient Application, which includes the overview of Certifications and Assurances, and the Grant Award, Special Conditions and Assurances.

Project Director – Refers to the person with direct responsibility for the administration of the proposed project and direct operational charge of the project. The Project Director shares responsibility with the Financial Officer for ensuring that all expenditures are valid and necessary. OCJA will contact this person regarding day-to-day operations of the project. The Project Director is responsible for:

- Signing the Program Assurances in the Grant Award Package
- Ensuring any project monies expended or obligated are for allowable, eligible, and approved activities under the final approved budget.
- Maintaining required documentation of project activities and accomplishments.
- May sign the Project Change Request form for grant modifications.
- Preparing the Monthly Narrative Progress Report
- Completing the online Quarterly Performance Measurement Tool (PMT)
- Ensuring financial claims, monthly progress reports, and PMT reports are completed and filed as required.

Financial Officer – The Financial Officer is accountable for fiscal matters relating to the project and ultimately responsible for:

- Signing the Financial Assurances in the Grant Award Package
- Maintaining proper accounting records.
- Ensuring the appropriate expenditure of grant funds.
- Verifying expenditures and preparing Subgrant Financial Claims.
- Verifying Project Change Request forms and ensuring their approval prior to incurring any expenses.
- Preparing and signing Financial Claims. The Financial Officer can sign off on the Financial Claims in lieu of the Project Director.

Other Point of Contact – This refers to the person OCJA may contact if there are any questions about the application.

Certified Assurances – The following documents represent the assurance of compliance required by the recipient agency with the mandated federal administrative terms and award conditions. OCJA cannot process awards without the completion and appropriate signatures on the following forms:

- Certification of Compliance with Equal Employment Opportunity Plan - EEOP
 - Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug Free Workplace Requirements
 - Civil Rights Requirements
 - Standard Assurances
1. Certifications Regarding Lobbying; Debarment, Suspension And Other Responsibility Matters; And Drug-Free Workplace Requirement
 2. Drug-Free Workplace – Applicant certifies that it will provide a drug-free workplace.
 3. Equal Employment Opportunity Plan (EEOP) Form – Ensures the agency has a current EEOP document in place.
 4. Civil Rights Requirements provides resources, details and federal requirements.

5. Standard Assurances – This guarantee states that the applicant assures and certifies compliance with all applicable federal statutes, regulations, polices and guidelines to include the 2 CFR, 200, Executive Order 12372.

Application Review The OCJA Grant Management Team and a peer review panel consisting of subject matter experts review and score the applications. The criteria applied to the competitive score includes: a) merits of the project, b) how the project relates to the OCJA Strategic Plan and OCJA’s funding priorities, c) the history of the requesting agency in administering awards, and d) the use of evidenced-informed programs. The resulting scores, available funding, federal grant-specific focus and criteria; and OCJA’s funding priorities determine the allocation of subawards.

To avoid disqualification, complete all areas of the application in a concise manner. Sign and date certification forms and include SMART objectives. OCJA staff is always available to provide technical assistance to complete the application.

SMART =
Specific
Measurable
Achievable
Realistic
Timely

Awards with Partial Funding

When an application is only partially funded, a revised budget and program narrative is required to clarify exactly what is included in the modified project scope, allowable expenditures and approved budget of the subrecipient’s Grant Award.

Conflict of Interest – The subrecipient is responsible for establishing safeguards to prevent employees, consultants, or members of governing bodies from using their positions for purposes that are, or give the appearance of, being motivated by the desire of private gain for themselves or others with whom they have ties, such as family and/or business associates.

Personnel and other officials connected with grant-funded programs shall adhere to the following:

No official or employee of a subrecipient shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally-funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any persons or organization with whom he/she is negotiating or has any arrangement concerning prospective employment has a financial interest.

In the use of agency project funds, officials or employees of the subrecipient agency shall avoid any action which might result in, or create the appearance of:

- Using his/her official position for private gain.
- Giving preferential treatment to any person, business or organization.
- Losing complete independence or impartiality.
- Making an official decision outside official channels; or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

Chapter 3 – Award Conditions, Acceptance and Commencement of Projects

Award Document – The grant award is the official contract obligating federal funds for the subrecipient’s approved project. Notification of a successful award and the award package are emailed to the organization. All assurances and award documents must be signed and returned to OCJA.

Certified Assurances – The following documents are emailed to the organization with the award and represent the assurance of compliance by the recipient agency with the mandated State administrative terms and conditions. OCJA cannot process awards without the completion and appropriate signatures on the following forms.

- Award Conditions (as applicable)
- Certification of Civil Rights & Requirements & Designation of Civil Rights Liaison
- Civil Rights Liaison Certificate & Training
- Program Assurances
- Financial Assurances
- Non-profit Waiver (Non-Profits ONLY need this document)

Award Conditions – Agencies are required to meet specific award conditions before and during the grant’s project period. Award conditions are included in the grant award package. Sign and return the required documents to OCJA as soon as possible. Contact OCJA staff with all questions concerning the Award Conditions.

Certification of Civil Rights Requirements and Designation of Civil Rights Liaison - These pages contain the required federal certified assurances and certifications necessary for the applicant to qualify for federal funding and are included in the application.

Program Assurances – The Program assurance required by OCJA is an agreement between the subrecipient and DPS/OCJA on the compliance of program policies and procedures for the management of the grant.

Financial Assurances – The financial assurances required by OCJA are an agreement between the subrecipient and OCJA on the compliance of financial policies and procedures for the management of the grant.

Non-profit Waiver – Non-profit agencies require the sponsorship of a local unit of law enforcement.

Acceptance Procedures – The Agency Authorized Official (AAO) designated in the grant application receives the Grant Award Package for signature. If the AAO or designated Project Director changed since the application was submitted, the current and correct Authorized Official may sign the award. A new Contact page must be submitted to OCJA with the new personnel’s information. Return all signed award documents by email to the OCJA Grant Manager. The signature of the AAO indicates acceptance of the grant award and agreement of the conditions and requirements, including all reporting requirements.

Federal Catalogue Number or CFDA numbers identify grants including grants from the Department of Justice. State agencies will contact OCJA for the appropriate job code number for tracking revenue and expenses for subawarded grants.

Commencement of Project The subrecipient must return all signed assurances, certifications and award conditions before OCJA signs the Grant Award. Grant-funded activities may ONLY begin after the Grant Award is signed by the OCJA Administrator. The subrecipient will receive the fully executed signed Grant Award and a “**Notification to Proceed.**” You may NOT obligate or expend any grant funds prior to the date signed by the OCJA Administrator and will not be

reimbursed for any expenses prior to that date. Only after receiving the signed Grant Award is the subrecipient allowed to begin recruiting for personnel, procuring equipment and supplies or conducting grant-funded activities.

Implementation of the project must be initiated within sixty (60) days from the starting date indicated on the signed award page. If the project is not operational within sixty (60) days after the starting date, OCJA requires justification in writing stating:

- (1) the steps being taken to initiate the project,
- (2) the reasons for delay,
- (3) the expected start date, or whether the project is viable

Not starting the project as required places the award in jeopardy, with the possibility of revocation, at OCJA's discretion.

Policies and Procedures – The federal and state administrative terms and conditions require the subrecipient and hired contractors to have in place written policies and procedures covering:

- a) hiring,
- b) termination,
- c) conflict of interest,
- d) benefits,
- e) salary rates,
- f) leave, travel, etc.,
- g) accounting and reporting functions, including but not limited to the following:

Chapter 4 – Financial Management of Grant

Accounting System Requirements – To comply with federal funding requirements, recipients of federal funding must establish and maintain accounting systems and financial records that accurately account for the federal funds received. The accounting system must fully record the amount and disposition of all project funds. Accounting records must show receipt of funds and expenditures by source. *The minimum criteria for state and federally acceptable accounting systems are listed below:*

- A. Categorizing – The system must categorize all revenues and expenditures by funding source(s). All federal funds received must be recorded for inclusion in the audit report or financial statement produced by the subrecipient's agency. Each grant award must be tracked separately.
- B. Co-mingling – Each award must be accounted for separately. Funds specifically budgeted/awarded for one project may not be used to support a second project regardless of the funding sources for the second project. Where a subrecipient's accounting system cannot comply with these requirements, the subrecipient shall establish a system to provide adequate fund separation and accountability for each grant it has been awarded. Federal funds and any required cash match must be expended only for goods and services detailed in the grant award and approved budget. OCJA recommends using assigned grant numbers and/or the federal CFDA# for tracking purposes.
- C. Internal Controls – An adequate method of internal controls to safeguard funds is a requirement of award acceptance. The system must:
 1. Allow for broad budget categories as listed in the award (i.e., Personnel, Travel, Operating, Equipment, Confidential Funds, Contract/Consultant and Other). Not all projects will have approved budget funding in each category.
 2. Provide historical expenditures of the grant as required for budgetary and evaluation purposes.

3. Provide cost and property control to ensure optimal use of funds.
4. Provide for required financial reporting of operations.
5. Provide financial data for planning, control, measurement and evaluation of direct costs.
6. Include a system of property records for all equipment.
7. Maintain all records for a minimum of three years from the date of the final report and until all questions arising from an audit have been resolved.
8. Ensure funds specifically budgeted and/or received for one project cannot be used to support another.
9. Ensure funds are not obligated before the commencement date stated in the grant award page.

Financial Claims:

OCJA grants are reimbursement grants. Subrecipients submit the current Financial Claim every month when expenditures occurred. Financial Claims must be received within a reasonable time of the purchase or pay period and include appropriate backup documentation, which includes proof of purchase (purchase order, contract), proof of receipt and proof of payment of the expenditure.

Only eligible and allowable expenses in the approved budget can be reimbursed for activities and purposes stated in the approved project and within the approved grant period.

Backup documents should have the amount charged to the project circled or highlighted to show the reimbursement requested.

Claims should have a “summary sheet” and supporting payment documentation balancing to the amounts claimed for each category, especially for larger financial claims with many expenditures. Only authorized categories will be reimbursed. The submission of the “summary sheet” will be at the discretion of the Grants Manger.

Financial Claims will be rejected for incomplete back-up documents, inaccuracies, unallowed expenses, and lapses in expense reporting. Delinquent, missing or incomplete **progress reports** will delay reimbursements.

Grant funds must be obligated before the end date of the grant period. Obligated funds mean funds committed for ordered goods or services not yet received. These obligations and payments include both federal dollars and matching contributions.

OCJA will not approve the transfer of funds between budget categories during the last 30 days of the grant period when the purpose of the requested transaction is expressly to purchase items not previously authorized in the grant award.

The subrecipient jeopardizes reimbursement of funds, future awards and faces possible termination of current awards by not complying with the terms and conditions of the grant award including the timely submission of all required reports.

The implementation of controls to avoid submission of duplicate invoices for reimbursement is the responsibility of the fiscal office from the subrecipient agency.

The final Financial Claim is due no later than sixty (60) days after the closing date of the grant. OCJA has authority to withhold payment for the final Financial Claim when the subrecipient fails to submit the required documentation reports by the deadline. Unexpended funds revert back to OCJA.

Proof of Payment Documentation – The following are sample documents required as proof of payment. Submission of more than one of the samples listed may be necessary:

- Copies of agency accounting system expenditure reports
- budget status report of payment).
- Copies of card or bank statements
- Copies of receipts
- Copies of vendor invoices, payment voucher numbers and project coding
- Copies of cancelled checks
- Copies of signed and/or electronic timesheets for required time-and-effort reporting

OCJA does not consider a purchase order a proof of payment document. Please check with your Grants Manager on acceptable back up documentation.

Reimbursement Methods – OCJA makes payments for reimbursement of Financial claims by electronic fund transfers (EFT). To receive payment by EFT, recipients are required to submit the completed vendor registration form via the Nevada State Controller's Office. Please see Nevada State Controller's office website for more details:

<https://controller.nv.gov/Vendor/VendorServices/>

Withholding of Funds – OCJA will withhold grant funds and/or disallow expenditures when the project fails to comply with any term or condition of the grant award or program guidelines. This includes, but is not limited to:

- Failure to attain goals and/or objectives.
- Failure to adhere to guideline requirements, policies or special condition.;
- Improper use of funds.
- Failure to submit required reports in a timely manner, including, but not limited to: Financial Claim forms, Monthly Progress Reports, Performance Measurement Tool (PMT) Reports and/or Final Evaluations;
- Failure to resolve audit exceptions on past or current grants in a timely manner.
- Inadequate maintenance of accounting records.
- Failure to cooperate with OCJA staff or representatives in reviewing program and/or fiscal records.
- Failure to resolve supplanting issues.
- Failure to reconcile financial records, final evaluations and closeout at the end of the project period.
- Once a grant has been closed no further claims will be accepted.

Match Requirements – Cash match, also known as hard match, is income from a source other than federal funds budgeted for the approved project. Only some DOJ grants allow in-kind match (use of salaries or services). The applicant must declare match sources in the application. Match requirements for grants differ depending on the source of federal funding and the type of grant. Please refer to the grant application guidance or contact OCJA directly for information about match requirements.

- JAG does not require a match.
- RSAT grant for state prisoners may be used to pay up to 75% of the total project cost with a match of 25% from other funds. The match can be either cash or in-kind.
- NCHIP grant may require a 10% match.
- FSI grant does not require a match.
- PREA – Does not require a match.

- NCSX – Does not require a match.
- NARIP – Does not require a match.
- SMART – Does not require a match.
- SCIP – Does not require a match.

Supplanting – Federal funds must be used for new program activities or to supplement existing funds to enhance program activity. It is not to replace funds appropriated in the subrecipient's budget for the same purpose.

For example, if a subrecipient prior to applying to participate in the grant program committed to purchase ten (10) new computers for crime analysis, the subrecipient must purchase those ten (10) computers in addition to any computers requested and approved from the grant program. Funds currently allocated to purchase office equipment may not be reallocated for other purposes nor refunded, when a grant is received. Non-federal funds for such equipment must remain available for and devoted to that purpose. Approved grant funds requested serve only to augment non-federal funds.

OCJA reviews submitted applications for the possibility of supplanting and conducts thorough annual monitoring. OCJA considers supplanting of non-federal funds with grant monies grounds for suspension or termination of grant funding, recovery of funds already provided, and other civil or criminal sanctions. **One of the major areas of concern regarding supplanting falls under the personnel category.** Contact the OCJA Grants Manager with any question about the possibility of a supplanting issue.

Chapter 5 - Personnel

Personnel expenditures includes salaries, overtime, fringe benefits, and employee-related direct costs when working on grant-funded activities included in the project. Bonuses, commissions, gifts and incentives are not reimbursable expenses. Regulations require that subrecipient agencies establish written policies and procedures addressing work hours, holidays, vacations, sick leave, overtime pay, compensatory time, termination, qualifications, written job descriptions, and equal employment opportunity. When a unique payroll situation is encountered, such as a termination settlement, contact OCJA for guidance on allowable costs. Contractors and consultants are not paid under this category.

Recruitment Procedures - When recruiting for positions with federal funds, fair recruitment policies must be followed. Retain documentation of job announcement for audit purposes. Other recruiting documents may be reviewed as well.

Time and Attendance Records – OCJA grants require the maintenance of accurate time and attendance for all personnel whose salary is charged to the project. Project officials are responsible for ensuring employees working on the project do not receive dual compensation and that supplanting is not an issue. Where salaries apply to execution of two or more funded programs or cost activities, prorate costs to each activity based on time and or effort reports. When submitting an application, use the provided Budget spreadsheet to calculate personnel costs. Please note that Annual and Sick Leave are considered fringe benefits and reimbursement for these expenses should be noted and detailed in the Budget Narrative within the spreadsheet. They should also be approved by your OCJA grant manager. In addition, please review the entity's time and attendance record keeping ensuring the documents submitted to OCJA for reimbursement contain the following information:

- ✓ Employee's name and title
- ✓ Dates and hours charged to project
- ✓ Hourly wages

- ✓ Supervisor's or Project Director's signature or electronic approval
- ✓ Electronic copy of a timesheet is acceptable with a date stamp

Payroll must have proof of payment and electronic and/or signed timesheets attached. Supporting documentation for personnel demonstrates hours worked, gross salary, overtime, insurance and other benefits as specified and approved in the grant's application. Each time sheet submitted for reimbursement must be signed and dated by a supervisor. Missing or inaccurate documentation will result in reimbursement delays. When overtime costs are not included in the approved project budget, OCJA's approval is required prior to incurring any costs.

Chapter 6 – Travel

This includes authorized travel costs including air fare, mileage, lodging, and per diem expenses in the approved budget during travel status when 50 plus miles away from the duty station. No more than three (3) people may travel to any one conference or training. Travel for additional staff requires prior approval from OCJA.

Travel expenditures must be identified in the approved budget, directly related to the grant project, and must take place within the grant period of the award.

- Any changes to dates, destinations, or travelers must be **PRE-APPROVED** by the grant manager prior to travel. GSA rates will fluctuate from the time the grant application is submitted and the date of travel, so budget accordingly.

The maximum federally approved travel rates for per diem and lodging are based on GSA (General Services Administration) rates listed on the GSA website: <https://www.gsa.gov/travel/plan-book/per-diem-rates>. If the agency's travel reimbursement rates are lower than GSA rates, the lower rates will apply for grant reimbursement.

Per Diem – is a daily allowance to cover meals during approved travel and incidental expenses like fees and tips given to porters, baggage carriers, hotel staff and wait staff. (Note: Tips for taxis and Ubers (up to 15%) are not considered incidental expenses and can be reimbursed with receipts.)

- Include a copy of the GSA rate for the traveler's destination with the travel claim.
- NOTE: The first and last days of Per Diem are reimbursed at the 75% GSA rate.
- Subrecipient agencies are responsible for reviewing and downloading the GSA expense breakdown **prior** to traveling.
- Subrecipient agencies are responsible for all expenses not allowed by OCJA. Contact OCJA with any questions before traveling.

Meals included at a conference/training can't be reimbursed and must be deducted from the per diem on the travel claim. The agenda or itinerary of all conferences or trainings must be included with each Financial claim. Continental breakfast is not considered a meal. Incidental expenses are reimbursed with the Per Diem earned; travel advances will not be reimbursed till travel has concluded.

Lodging – Lodging expenses will be reimbursed according to the maximum GSA rate for the traveler's destination. GSA lodging rates do not include taxes, surcharges, or resort fees, however will be reimbursed with a receipt.

- Lodging charges will only be reimbursed with the detailed folio receipt provided by the lodging establishment. When considering lodging, always call the property to inquire

whether the GSA rate is honored. **Do NOT use a third-party booking sites such as Priceline, or Bookings.com due to lack of ability to provide lodging receipts.**

- If the specific city or county is not listed on the GSA rate page, CONUS (Contiguous United States standard rate) will apply.

OCJA can ONLY reimburse over the GSA rate with written **pre-approval** from the grant manager (an email will be accepted) and the approval must be submitted with the travel claim. Samples of circumstances where this might happen:

- Lodging is at a prearranged location where a meeting, conference, workshop, or training is held;
- Costs have escalated because of a different special event and lodging within the GSA rates cannot be obtained nearby; or
- The cost to commute to/from the nearest location exceeds the cost savings from occupying a less expensive lodging further from the event.

OCJA allows overnight lodging and Per Diem within 50 miles of the traveler's principal duty station when one or more of the following circumstances apply:

- Inclement weather conditions make travel hazardous;
- Individuals involved are serving as conference hosts and are responsible for arrangements; and
- A duty assignment is related to grant activities. (This must be approved by OCJA.)

Reimbursement of travel costs is made only after travel and expenditures take place and costs were paid by the agency. OCJA does not reimburse travel advances.

Air fare – OCJA strongly recommends booking flights as soon as possible to take advantage of lower fares.

- Copy of the itinerary plus receipts for the flight and baggage are required for reimbursement. (Only one baggage charge per flight will be eligible for reimbursement, unless otherwise pre-approved by OCJA.)
- Any charges for flight changes may be reimbursed by OCJA on a case-by-case basis.

Ground Transportation –

- Travel should be accomplished by the least expensive means practical.
- All car rentals must be pre-approved by OCJA. Insurance for car rental is NOT reimbursable.
- Receipts (this includes tips up to 15%) for taxis, shuttles, buses, etc., are required for reimbursement.
- GSA mileage rates will apply for vehicle usage, excluding agency-owned vehicles.
 - To receive mileage reimbursement, the Financial Claim must have the mileage from the normal duty station to the intended destination.

Other Expenses – OCJA will reimburse for other travel work related expenses such as telephone charges, internet fees, parking fees, tolls, etc. These types of expenses require written justification, supervisor approval, and receipts.

Training – Travel for training must be approved in the grant project award, be necessary for the success of the project and be for a project employee(s). All travelers must show proof of attendance at training, such as a certificate of completion. An agenda must be included with the travel claim.

- **NOTE:** Tuition fees and Registration costs are charged to the “**OTHER**” Category.

Travel Claims – must be included with an agency or organization’s Financial Claim and must be submitted in a timely manner.

Travel claims must include:

- Destination and purpose of trip including dates, and times of departure and return,
- Copy of the GSA lodging and Per Diem rates for the destination traveled.
- Receipt for lodging.
- All receipts for ground transportation, rideshare and/or car rentals.
- Map showing actual mileage.
- Airport parking receipt (if applicable).
- Travel claim approved by signature of supervisor.
- Proof of payment to the traveler.
- Agenda of meeting or conference: If meals are provided, they must be subtracted from the per diem.

Chapter 7 - Supplies and Operating

Allowable operating expenses are defined as necessary expenditures exclusive of personnel salaries, benefits and equipment. Expenditures for this category are considered necessary for the operation of the project and are incurred during the performance period of the award. Please review the following dos and don’ts:

- Expenses include expendable supplies, rent/lease costs, telephone, cellular phone, printing, copying, and software.
- Reimbursement for agency vehicle costs is generally considered possible supplanting; please have appropriate documentation and justification in the application for this type of request.
- All purchases/payments in this category require receipts or invoices and proof of agency payment.
- Food, beverages alcohol are not allowable expenses.
- When possible, Bureau of Justice Assistance (BJA) requests the purchase of American made products.
- OCJA reviews approved maintenance agreements annually and reserves the right to refuse reimbursement for such.

Chapter 8 – Equipment

The State of Nevada Administrative Manual (SAM) and the Department of Justice Financial Guide prescribe rules and regulations governing the purchase and disposition of property. These guidelines will prevail unless local rules and regulations are more restrictive. The Nevada State Administrative Manual (SAM) is available online at <http://budget.state.nv.us> or contact an OCJA Grants manager for clarification on equipment purchases.

Definition of Equipment – Any individual non-expendable item with an acquisition cost of \$5,000 or more per unit. Items under \$5,000 with an anticipated useful life of more than one year are to be included in the supplies category and will be inventoried. Explain how the equipment is necessary for the success of the project and the intended outcome or benefit to be achieved.

Equipment must be in the approved budget to be eligible for reimbursement. Financial Claims should include **the following supporting documentation** such as:

- a) Purchase order, copy of the contract, packing slip, receipt, vendor invoices that include order and delivery dates
- b) Proof of internal payment documentation such as expense logs, cancelled check, etc.

- c) A completed Equipment/Property Log of purchased equipment.

OCJA staff cannot process reimbursements missing appropriate and complete documentation supporting the expenditures presented.

Title of Property – Property purchased with federal grant funds is considered property of the subrecipient agency. Retain the title for the property until the completion of the project, whether or not the project continues to be supported by federal funds. NOTE: In compliance with federal requirements, OCJA must approve the disposal of property purchased with federal funding. Please see Disposition of Equipment section below for additional details.

If OCJA determines the equipment/property purchased with grant funding is being used for non-project related functions, title to the property will be vested to the State of Nevada for appropriate use in crime control or justice system improvement purposes.

Property Records – The subrecipient agency is responsible for demonstrating to OCJA the correct implementation of an effective system of property maintenance, management and controls to safeguard against loss, damage or theft of equipment. This includes the full documentation, investigation and reporting of loss, damage or theft to OCJA within 30 days.

Submit the following property documentation to OCJA when requesting reimbursement:

1. a statement addressing:
 - Whether the program will continue after federal funding ends and
 - Whether the equipment will continue to be used for a project-related purpose.

Disposition of Equipment or Property

Disposition includes: the sale or trade-in of equipment or the disposal of equipment at the end of its useful life.

In compliance with federal requirements, OCJA approval is necessary to a) dispose of property at the end of its useful life or b) sell or trade existing property for the purchase of a newer model.

As the SAA, OCJA has authority to vest the equipment to the subrecipient agency at the end of its useful life or at the end of the performance period. To process the transfer the subrecipient agency certifies, in writing, the equipment will be used for the purposes stated in the funded award. Otherwise, the property will vest to the State of Nevada for appropriate use in crime control or justice system improvement purposes.

Transfer of Property within Subrecipient Agency: Transferring property within the subrecipient agency to a program not related to the DOJ funded project requires an assessment to determine the fair market value of the property in question. Once the fair market value is determined the following applies.

- Fair Market Value – less than \$1,000 – OCJA is authorized to transfer the property to another criminal justice project. Then, the subrecipient agency's compensation for the property is determined by applying the percent of federal participation at the time of purchase of the property, to the current fair market value.
- Fair Market Value – Greater than \$1,000 and less than \$5,000 – please contact OCJA to discuss options for disposition.

OCJA must amend the equipment records in the award documents when subrecipients request new, upgraded, or the disposition of equipment related to the awarded project. This includes vehicles.

Chapter 9 Contracts/Consulting Services

This includes services and products provided to the project by outside vendors under contract with the subrecipient agency. Federal requirements prevent subrecipients from entering into a financial arrangement with any party debarred from participation in federal assistance programs. Please contact OCJA for approval before making expenditures for the contract/consultant category.

Technical Assistance for the Determination of Employee vs. Independent Contractor

Independent Contract Services must follow state and federal regulations. NRS 284.172 defines an Independent Contractor as a “natural person, firm or corporation who agrees to perform services for a fixed price according to his or its own methods without subjection to the supervision or control of the other contracting party, except as to the results of the work, and not as to the means by which the services are accomplished.” The responsibility lies with subrecipients to ensure that independent contractors understand all regulations and deadlines.

Contract Provisions

All expenses for professional services/consultants must be supported by a valid, signed contract between the subrecipient and the provider. The Project Director is responsible for approving detailed invoices from the provider. The following constitute the minimum provisions found in a contract.

- Legal names of contracting parties.
- Statement of work expressed in clear, concise terms for tasks to be accomplished. The tasks, when accomplished, should produce results consistent with the project objectives.
- The specific duties of the contractor stated in such a way that he/she knows what is required and which would permit the subrecipient to determine if the contractor met all the requirements before making payment. Sentences should be written to avoid any question about the contractor’s obligation (i.e. “the contractor shall do this work” and not, “this work will be required”).
- Clearly identify deadlines for completion of tasks by the contractor for each service/good to be delivered.
- Identify any permits, certifications or licenses required for the project and/or staff.
- Persons or committees who will approve reports or specific accomplishments, and whether a portion of the contract price is contingent upon that approval.
- Use competitive negotiation for contracts related to professional services whenever possible.

Contracts for more than \$25,000, but less than \$100,000 per year, must be bid no less than every four years. Contracts for more than \$250,000 per year must be bid at least every two years.

Annual Cost of Contract	Bid Period
\$25,000 < Contract cost < \$100,000	4 years
\$250,000 +	2 years

Sole source contracts for more than \$25,000 require OCJA's pre-approval. The subrecipient must provide written justification to OCJA. **Sole source contracts** with a value of more than \$250,000 require pre-approval from the Federal awarding agency.

All sole source contracts require written justification.	
Sole Source Contract Costs	Approved by
25,000 < Contract cost < \$249,000	OCJA Administrator
\$250,000 < Contract cost	Federal

Competitive Bid and Sole Source Contracting – Provide for publicly solicited bids and affirm fixed-price contract to be awarded to the lowest responsible bidder. The bid must conform to all the material terms and conditions of the invitation for bids. This is the preferred method of procurement and is properly used when the following conditions exist:

1. The requirement can be described and is finite and specific in detail, with no unknowns or contingencies.
2. There is competition available among interested contractors which could satisfy the requirement.
3. There is enough time available to issue the solicitation, conduct a public bid opening, and award the contract to the lowest responsible bidder.
4. All contracts for evaluation services, and all other contracts for more than \$ 25,000, must be reviewed and approved by OCJA before being signed. This policy may be adjusted in individual cases through special conditions of the Subgrant Award Agreement.

Negotiation – When the prerequisite for competitive sealed bidding cannot be met, negotiations must be initiated. The technique of competitive proposals is usually conducted with more than one source submitting an offer and either a fixed price or cost reimbursement type contract being awarded. The procedures involve developing a performance Statement of Work listing requisite requirements to accomplish the contract. The performance Statement of Work should be written in a straightforward manner, and at a minimum, contain the following:

1. Background providing necessary introductory information or evolution of the requirement.
2. Objective scope of work detailing broad parameters that is requisite for the contract performance or to effectively satisfy the requirement.
3. Tasks with accompanying deliverables should be indicated in a logical sequence as the grantee perceives the requirement.
4. A delivery schedule in increments as mandated to satisfy the requirement.
5. Acceptance and approval procedures should be indicated.

Develop the *Request for Proposal* containing at least the basic elements specified above prior to advertising the solicitation in accordance with state and local procedures.

Sole Source Contracting – Procurement by noncompetitive proposals is procurement through the solicitation from only one source. It is necessary to have open and free competition to satisfy contractual requirements. Recipients may make the initial determination that competition is not feasible if one of the following circumstances exists:

1. The item or service is available only from a single source.
2. The public exigency or emergency of the requirement will not permit a delay resulting from a competitive solicitation.
3. After solicitation of a number of sources, competition is considered inadequate.

Documentation reflecting actions taken and why is extremely important in order to establish an audit trail. A justification for non-competitive (sole source) procurement must include the following:

1. Brief description of the program including what is being contracted and how the contract affects the program.
2. Explain the need to contract non-competitively and include the following:
 - a. Expertise of the contractor.
 - b. Management.
 - c. Responsiveness.
 - d. Knowledge of the program.
 - e. Experience of contractor personnel.
 - f. Results of a market survey to determine competition availability. If one was not conducted, why not.
3. Time constraints
 - a. When contractual coverage is required and why.
 - b. Impact on the program if dates are not met.
 - c. How long would it take another contractor to reach the same level of competence (Equate to a dollar amount if desired)?
 - d. Uniqueness
 - e. A declaration that this action is in the best interest of the agency.

Consultant Provisions

Federal regulations require that compensation for individual consultant services must be reasonable and consistent with similar services in the marketplace. Consideration will be given to compensation, including fringe benefits, for individuals whose employers do not provide the same. In addition, when the rate exceeds the federally allowed amount (\$650 in an 8 hour day – excluding travel costs), a written PRIOR approval by the appropriate federal agency is required. Contact your Grants Manager for details. Prior approval requests require additional justification. This does not mean that the rate can or should be \$650 for all consultants. Rate should be developed and reviewed on a case-by-case basis and must be reasonable and allowable in accordance with Federal Office of Management and Budget (OMB) costs principles. Approval of consultant rates in excess of \$650/day that are part of the original application with appropriate justification and supporting data is possible on a case-by-case basis. The following is the policy regarding compensation of various classifications of consultants who perform similar services.

- Travel reimbursements may not exceed the federal GSA travel rates and regulations.
- Dual compensation is not allowed.

Consultants employed by State and local governments will only be allowed when the unit of government cannot provide their services without costs. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

Chapter 10 - Other

Registration to attend or participate in training, seminars, or conferences are in the “Other” category to be consistent with federal budgets. OCJA will delineate what constitutes the “Other” category at the time of application or Subgrant award. Depending on the grant, this category may occasionally be used for overtime.

Chapter 11 – Programmatic Reporting

Monthly Progress Reporting

is due the 25th of the month

PMT Quarterly Reporting:

BJA requires all subrecipients to submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website: <https://bjapmt.ojp.gov/>

Death In Custody Reporting (DICR):

All law enforcement agencies and detention facilities (prisons and jails) are required to report DICR incidences **quarterly** to OCJA for upload into the BJA portal, even if they are not currently a JAG subrecipient.

Chapter 12 – Required Recordkeeping File Folder

Based on federal requirements, the subrecipient must keep a separate electronic or paper file containing documents related to the OCJA subaward, including the following documents.

- **Correspondence –**
 - a. All correspondence regarding the grant

- **Progress Reports –**
 - a. Equipment and Property Log
 - b. Monthly Progress Reports
 - c. Quarterly Performance Measurement Tool Reports
 - d. Final Progress report which is cumulative over the entire grant period.

- **Monitoring –**
 - a. Equipment and Property Log
 - b. Desk Audit & On-site Monitoring Reports

- **Financial Claims –**
 - a. All fiscal documents
 - b. All required backup documents including payroll registers and accounting registers.

- **Project Changes –**
 - a. Requests and approvals for any changes to the grant

- **Grant and Application paperwork –**
 - a. Grant award
 - b. Copy of the grant application
 - c. Goals and Objectives
 - d. Certifications
 - e. Special Conditions
 - f. Assurances

*All documents are subject to review by OCJA and Federal staff.

Chapter 13 – Award Termination

OCJA may reduce or terminate grant funds for reasons that may include, but are not limited to:

- The project failing to comply with terms or conditions of the grant award.
- During the term of the grant period, the funds appropriated for the award are reduced or eliminated by the state or federal government.
- Your agency may be asked to prorate certain expenses if the expense falls into two different federal fiscal years or grant project period.

OCJA will notify the subrecipient in writing when necessary to reduce or terminate grant funds. If funds are available for payment of costs, such termination or reduction does not apply to allowable costs incurred by the subrecipient prior to the notice.

OCJA reviews projects previously funded for past compliance. Compliance includes financial management, progress and final reports, monitoring results, audit reports, and any other relevant documentation or information. Lack of compliance with any one requirement above, term, and/or condition endangers future awards.

OCJA will assess monthly both the program and fiscal management of the subrecipients grant(s). Non-compliance may endanger future awards.

Chapter 14 – Availability of Funds

Obligation of Funds – An obligation occurs when funds are encumbered, such as a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the grant period. Do not make obligations before the start date of the award's performance period; and only after the agency receives the approved and signed Grant Award documentation. Any funds not obligated by the agency or organization within the performance period of the award will lapse and revert to OCJA. The deadline for obligations is the end date of the performance period for the award, unless otherwise approved by OCJA.

Expenditure of Funds – At the end of the grant period, properly obligated award funds have a 60-day grace period to pay expenditures of grant funded activities.

Chapter 15 – Grant Award Modifications

Project Changes – A Project Change Request form is used to request budgetary and substantial programmatic changes and/or corrections to an approved award. These changes/corrections include:

1. Personnel changes at subrecipient agency
2. Budget and category revisions
3. Scope of work revisions
4. Project Period extension

Submit a completed OCJA Project Change Request form, which includes a justification of the requested change, to OCJA along with any backup documentation necessary to support the requested revision. OCJA will consider the request and return the signed approved Project Change Request as soon as possible (communication with the OCJA Grants Manager assigned to the award is important to expedite any change request). Only upon receipt of the approved Project Change Request, may the subrecipient implement the requested revisions.

On a case-by-case basis, OCJA will consider the approval of requests for changes to a budget containing new items. Note that moving funds into a category not found in the most current award document requires justification of its critical need to the success of the project. OCJA tracks all requests for changes.

During the last 30 days of the award performance period, OCJA will rarely approve:

- a) Change requests for items not previously authorized in the award,
- b) Transfer of funds between budget categories expressly to purchase equipment or supply items not previously authorized.

Project Period Extension –

To request an extension of the Grant Period for an award, submit a Project Change Request Form with a full written explanation for additional time needed to complete the project. of the effect a denial of the request would have on the project. OCJA requires submitting these requests 45 days before the expiration of the performance period.

This occurs when the project cannot be completed within the performance period specified in the Subgrant award (usually 12 months). The subrecipient must justify the programmatic reason for the extension and indicate the additional time required in a timeline.

Submit the extension request to OCJA no less than 60 days prior to the expiration date of the project. If an extension request is not submitted and approved prior to the expiration date of the project, the original project expiration date stands. Any federal funding balance reverts back to OCJA.

OCJA considers the current and past performance of the subrecipient when determining the approval of time extension requests. This includes timely submission of fiscal and quarterly reports, as well as the circumstances and justification of the request.

OCJA DOES NOT APPROVE TIME EXTENSION REQUESTS WHEN ITS SOLE PURPOSE IS TO EXPEND THE AWARD'S REMAINING BALANCE.

When the subrecipient determines funds will not be fully used during the performance period, immediately notify OCJA in writing indicating the reasons for reducing the original award. Remaining funds will revert to OCJA for possible reallocation.

OCJA will not consider or approve requests submitted after the expiration of the performance period. Thus, the original expiration date of the performance period stands, and the federal fund balance reverts to OCJA. OCJA weighs current and past performance of a subrecipient, timely submission of fiscal, monthly and quarterly reports, and the circumstances and justification when considering approval of a request for the extension of a performance period. The extension is not automatically granted. OCJA will not consider a request for the extension of a performance period when the sole purpose is to expend remaining funds.

Changing Project Director or Contact Personnel – to update personnel found in the application submit within 30 days of the change:

1. a completed Project Change Form, and
2. an updated Contact form

Changing Scope of Work/Goals and Objectives – Submit a completed Project Change Request form to OCJA for approval before enacting revisions to the scope of work, and/or goals

and objectives. The form requires written justification explaining the change. E-mail the completed form(s) to OCJA for approval.

Changing the Budget – Please note, if your agency needs to make a budget modification a Project Change Request Form must be filled out including an explanation for the change. The Grants Manager may require additional back up documentation or a revised budget depending on the request.

Chapter 16 – Procurement of Goods or Service

The subrecipient shall follow the same policies and procedures used for procurement from its non-Federal funds provided that the procurement conforms to applicable Federal and State laws. The standards identified in the Procurement Standards Sections of 28 CFR Part 66 and Part 70. The prime objective is to obtain materials, supplies, services and equipment at the most reasonable cost to the taxpayer, to supply the agency as quickly as possible, and to afford vendors competitive opportunity. All procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and free competition. Subrecipients shall be alert to actual or potential conflicts of interest.

1122 Procurement –

The 1122 National Defense Authorization Act Procurement Program allows law enforcement agencies obtaining equipment and supplies suitable for counter-drug activities, first responder functions, and Homeland Security functions, the opportunity to take advantage of discounts available to the federal government due to its large volume purchases, thereby maximizing their budgets.

To take advantage of this cost-savings program, call OCJA's office at (775) 687-1504. The 1122 Coordinator will assist the interested agency in registering with the 1122 Program. Once registered with the program, create a list of items to purchase and provide it to the 1122 Coordinator. The 1122 Coordinator will research the requested items and provide the agency with quotes from different vendors. Once the agency decides which vendor to order through, the 1122 Coordinator will submit an order to the vendor. After the item(s) ship to the purchasing agency, the 1122 Coordinator will invoice the agency.

OCJA charges an administrative fee of 4% of total costs with a limit of \$3,000 whichever is less. In specific situations, the administrative fee may be waived.

Subrecipients receiving federal funds from OCJA sign a Special Condition form requiring contact with the 1122 Coordinator to receive quotes for equipment approved under the award before actually purchasing the equipment. Agencies are not required to purchase through the 1122 Program when adequate equipment at better pricing or terms is found elsewhere.

Upon receipt of equipment purchased through the 1122 Program, the purchasing agency must submit the packing slip or delivery receipt as verification of delivery to the 1122 Coordinator.

1033 Military Excess Programs

The 1033 Department of Defense (DOD) Military Surplus Program assists law enforcement agencies (LEA), with apprehension and arrest authority, with obtaining excess military equipment at no cost (other than shipping or delivery costs).

LEAs must register with the 1033 Program State Coordinator. Once registered, LEAs have access to preview excess equipment on-line and submit requests for items. The State Coordinator then approves/disapproves and sends the request to the Department of Defense for

approval. Many items are located on military bases around the country. LEAs are responsible for pick up or delivery costs of property.

Chapter 17 – Publications and Publicity

Publications – Include an acknowledgement of the funding source agency in all publications or materials for activities resulting from an award. The following or similar language is suggested:

“This project was supported by U.S. Department of Justice, Office of Justice Programs and the Nevada Department of Public Safety, Office of Criminal Justice Assistance.”

Publicity – OCJA strongly encourages Project Directors to issue a press release to local media outlets, or make a social media notification of the Subgrant award and intended results of grant-funded activities. Prior approval is not required for publishing the results of an activity under a project; however, the U.S. Department of Justice requires compliance with the Stevens Amendment as detailed below.

The Stevens Amendment, specifically section 8146 of the Department of Defense Appropriations Act (1988), provides:

“When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects funded in whole or in part with federal money, all sub-recipients receiving federal funds, including but not limited to state and local governments, will clearly state (1) the percentage of the total cost of the program or project that will be financed with federal money, and (2) the dollar amount of federal funds for the project or programs”.

OCJA strives to maintain an open and cooperative relationship with the news media, subject to the limitations imposed by law and legitimate governmental needs. Sub-recipients are expected to act accordingly. Any release of personal information must be in strict accordance with NRS 481.063, NRS 482.170 and NRS 483.916. Specific language can be found at:

<http://www.leg.state.nv.us/Nrs/>

To ensure quality and consistency of communication with the media, the following procedure is intended to provide guidance for those agencies required to release information:

1. Initiate and respond to media inquiries, identify and develop public information goals.
2. Inform OCJA of press inquiries considered significant, whether negative or positive, to any project supported with federal funds related to OCJA.
3. Develop overall public relations strategies and programs to enhance the image of any project supported with federal grant funds related to OCJA.
4. Maintain a file of press releases, clippings, internet articles, relating to any project supported with OCJA related federal grant funds.
5. Provide copies of all press releases relating to federally funded projects to OCJA either at the time of the release or when the quarterly report is prepared; depending upon the urgency of the release.

Contact the OCJA Grants Manager when questions arise about the release of information. OCJA and the Department of Public Safety’s Information Officer will confer to clarify and resolve any conflict arising from the release of information.

Chapter 18 – Unallowable & Allowable Costs

The federal Office of Management and Budget (OMB) Uniform Guidance found in 2 CFR 200, Subparts E and F, documents allowable and unallowable grant costs. For costs to qualify as allowable, they must be necessary to the success and completion of the approved project. To clarify any questions about allowable costs, please contact a Grants Manager at OCJA.

Unallowable Costs

- Any expenditure not directly related to the program
- Badges and personal items necessary for any job related duties, i.e., side arms, identification badges, etc.
- Bar charges/alcoholic beverages
- Bonuses, commissions, gifts and incentives
- Bomb pay
- Business cards
- Car washes
- Compensation for Federal Employees Construction
- Conference rooms
- Corporate Formation
- Costs incurred before the project start date or after the expiration of the project period
- Entertainment
- Food and beverages
- Expense of organized fund-raising
- Fines and penalties
- Further unallowable costs may be found in the Office of Justice Programs Financial Guide or by contacting your Grants Manager or the OCJA mainline
- Home office workspace and related utilities
- Honoraria
- Indirect costs unless there is proof of certification by the lead consigning agency.
- Land/building acquisitions
- Late charges
- Lobbying, political contributions, and legislative liaison activities
- Membership Dues and Fees
- Military type equipment
- Newspaper subscriptions
- Passport charges
- Promotional Items
- Rental vehicles – unless previously justified and preapproved by OCJA
- State and local sales taxes
- Sporting events
- Supplanting: federal funds must not be used to supplement existing funds for program activities and cannot replace funds which have been appropriated for the same purpose.
- Tips for Per Diem

Allowable Costs

- Audits for agency
- Building rental.
- Equipment necessary for implementation of the program.
- Professional services (including contractors and consultants). Costs must follow federally approved policy - \$650.00 per day or \$81.25 per hour.
- Project personnel salaries and benefits, including overtime pay.

- Project personnel travel/training.
- Supplies and operating expenses directly related to project operation.
- Tips for ground transportation (with receipt only – no more than 15%).
- Uniforms (must not be union allowance uniforms and must not be part of the normal operating budget)

Chapter 19 – Special Funds

Confidential Funds – These funds are used for the purchase of services, purchase of evidence (physical), and the purchase of information. The Office of Justice Program (OJP) Financial Guide outlines the required provisions for approved projects with budgeted confidential funds.

To receive Confidential Funds from OCJA, subrecipients must have written procedures establishing informant:

- file security and contents,
- management and utilization, and
- payments.

Awards OVER \$10,000 cannot request an advance payment for the *total* award. The maximum monthly advance payment allowed is \$10,000.

OCJA requires the inclusion of documentation, for example a bank account statement showing the declining balance and expenditures of confidential funds with the monthly financial claims. OCJA will not allow additional draws when the accounting of awarded funds is unclear. OCJA recommends also including monthly bank statements for the confidential funds with the progress report.

Subrecipients (i.e., task forces) awarded confidential funds in excess of \$10,000 during the previous grant period must expend prior year's funds before drawing funds for the current award year. For example, once the confidential funds balance shown in the bank statement for the previous year's award reaches \$5,000 or less, the current year's confidential funds are available to draw. OCJA allows the extension of the performance period for previous year's awards to expend confidential funds only. In emergency situations, contact the Grants Manager.

Accounting for Seizures/Forfeitures – BJA Guidelines require OCJA to report quarterly on grant income and expenditures. This report must include the proportional amount of forfeiture funds received by programs funded with federal grants. For example: If the program is 75% federally funded, 75% of the forfeitures received shall become a part of the grant program and must be expended by the grant if seized and forfeited within the time frame of the grant.

Report forfeited funds received/expended to OCJA on the Progress Report Form.

Program Income – Program/project income is defined as the profit resulting from income generated through, or as a result of, an OCJA grant-funded project. DO NOT use grant funds for the start-up of a business.

All income generated as a direct result of an agency-funded project is deemed program income. Program income must be used for the purposes and under the conditions applicable to the award. The federal portion of program income must be accounted for up to the same ratio of federal participation as funded in the project or program.

Program income may supplement project costs, reduce project costs, or refunded to the federal government. Examples of program income:

- Sale of Property
- Royalties
- Attorney fees & costs – income received from a court ordered award
- Registration/Tuition and fees
- Asset Seizures and Forfeitures
- Interest earned on any of the above

No federal requirements govern the disposition of program income earned after the end of the funding period. However, if the terms of the award or the awarding agency’s regulations state otherwise, follow the stated terms and/or regulations.

Chapter 20 – Reporting Requirements

If a project is not implemented within 60 days of the original start date of the award’s performance period, submit a letter to OCJA outlining:

- the steps being taken to initiate the project,
- the reason for delay, and
- the expected start dates.

If a project is not implemented within 90 days of the original start date of the award’s performance period, submit a *second* statement to OCJA explaining the delay. Upon receipt of the second letter, where extenuating circumstances warrant, OCJA may extend the implementation date of the project past the 90-day period or cancel the project and reallocate funds to other areas.

Awards from OCJA require the submission of several different reports throughout the project period. The Project Director is responsible for compliance with this reporting requirement. Failure to meet reporting requirements may result in withholding or suspension of reimbursement of Financial Claims. OCJA will notify the Agency Appointing Officer (AAO) of non-compliance. When noncompliance persists, OCJA will terminate funding for the project, which puts the agency in a High-Risk condition jeopardizing future funding opportunities with OCJA.

Required Reports Due Dates and Summary –

By accepting a grant award from OCJA, the subrecipient agrees to submit the applicable forms and reports by the date/s specified. Contact the OCJA grants manager promptly when reporting deadlines cannot be met. A pattern of delinquent reporting may result in termination of the grant and jeopardize future funding.

Reporting forms are posted on the <http://ocj.nv.gov> website. OCJA staff will endeavor to notify subrecipients of revisions to forms. However, the subrecipient agency is responsible for using the latest version of the required reporting forms.

FORM	DUE DATE	NOTES
<u>Financial Claim</u>	Due when expenses occur and must be submitted within 30 days after the close of each month. Submit a final Financial Claim within 60 days of the end of the performance period.	Submitted to draw funds for reimbursement of expenditures. Include equipment/property Log, if any purchased.
<u>Monthly Progress Report</u> Typed Narrative & Data report	Monthly – due by the 25 th of each month. See below for due dates.	Include any significant press releases, copies of surveys, pre/post test evaluations if applicable.

FORM	DUE DATE	NOTES
<u>PMT On-line</u> Performance Measurement Tool Quarterly Report	Quarterly – due by the 20 th of the month following the end of each quarter: January, April, June, September	On-line reporting form submitted to OCJA, then to feds (BJA). https://ojpsso.ojp.gov/
<u>Final Evaluation/Narrative/Data Report</u>	60 days after the end of the final payment and/or when project activity concludes. Use the Monthly Progress Report form	- Includes cumulative statistics for the year or project period. - Overall evaluation of the project, achievement of goals & objectives - Final inventory list & future intended use of equipment if applicable.
<u>Project Change Request Form</u> ** Budget Revision ** Request for performance period extension ** Change in scope Change in personnel	Submit Request for approval before: Budget Revision Performance Period Extension Change in Scope of Work Submit Request for change in personnel as soon as it is known.	
<u>Equipment/Property Record</u>	Within 30 days of procurement of equipment/property.	Submit with monthly financial form. Equipment reviewed at monitoring visit.
** <u>Transfer/Loss/Damage of Property Report</u>	As soon as activity is noted, or within 30 days.	Contact grants manager immediately if item is over \$5,000.

** *Requires Pre-Approval from OCJA*

Reporting Due Dates -

Monthly Progress Reports are due by the 25th of each month.

PMT Report Periods <i>On-line Reporting via Web</i>	PMT Reports Due Dates
January 1 – March 31 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 20 July 20 October 20 January 20
Final Progress Reports – Project Evaluation	Final Progress Reports – Project Evaluation
Evaluation of project as a whole and any specific surveys, etc. required.	60 days after the end of the project

Chapter 21 - Risk Assessment for Subrecipients

The subrecipient risk assessment is used to evaluate overall risk to OCJA, the level of monitoring required, and future subrecipient funding. Prior to the issuance of Subrecipient Awards, OCJA completes a Risk Assessment regarding programmatic and fiscal management of their grant(s). The following are considerations during this process:

Financial Claims: submitted on time, correct calculations, complete and correct backup documentations.

Monthly narrative progress reports and completion of the PMT: Submitted on time, Include progress on goals and objectives during the reporting period,

Agency correspondence: The subrecipient promptly responds to requests and questions.

A new subrecipient or new innovative project may require more oversight.

Chapter 22 –Monitoring Requirements

Subrecipients of federal grants administered by the Office of Criminal Justice Assistance (OCJA) are monitored throughout the grant period as required by the Bureau of Justice Assistance (BJA) to ensure compliance with all applicable Federal and State rules, regulations, DOJ Financial Management guidelines and the subaward special conditions.

The monitoring effort includes fiscal and programmatic reviews of the subaward. The monitoring process assesses the subrecipient's ability to meet the provisions of the grant award agreement, review of the grant's scope of work, and evaluation of the achievement of goals.

OCJA provides technical assistance to subrecipients to assist them with compliance of Federal and State rules, regulations and guidelines.

Acceptance of the grant award agreement legally binds the subrecipient to allow OCJA staff and/or its authorized representatives unrestricted access for inspection, copying, monitoring and auditing purposes of all project books, documents, and records, including confidential client records. OCJA reserves the right to conduct unannounced monitoring visits.

Monitoring Procedures

OCJA conducts monthly monitoring of subawards through the review of subrecipients' monthly progress reports and financial claims that determine how funds are expended and if projects are on track and within scope. OCJA evaluates and addresses specific concerns or issues as soon as they emerge and communicates with the subrecipient through email, phone calls or TEAMS meetings if required. Progress reports detail grant-funded activity and progress made toward achieving goals and objectives defined in the final budget, application and program narrative.

Desk review and Virtual monitoring: Includes review of financial claims for reimbursement, monthly progress reports, accounting systems, project accomplishments, follow-up on noted recommended actions, or enhancements needed to keep the projects on track. Virtual monitoring through TEAMS or ZOOM provides the opportunity to share documents necessary for effective monitoring.

Onsite Monitoring: Onsite monitoring by the Grant Manager shall ensure the Subrecipient complies with all criteria of the grant award. This may be a requirement for new subrecipients and those subrecipients evaluated to have a higher risk, using the Risk Assessment Tool. OCJA staff will notify the subrecipient in writing or by telephone prior to the mutually agreed date for the visit. Notification is sent to the Project Director and the Finance Director, informing project staff of the onsite monitoring date, the grant(s) and time period to be monitored. Please have the individuals responsible for content of the progress reports and the oversight of grant-related activity available during the monitoring visit to answer any questions. This visit requires preparation, documentation and follow-up. OCJA will conduct an evaluation of the success, efficiency and compliance of a subrecipient or a new type of project.

The subrecipient must demonstrate an established and maintained accounting system of financial records and program progress which accounts for all funds awarded to them. Records must include federal funds, and matching funds if applicable.

The onsite monitoring visit shall substantiate and include but not limited to the following:

- Equipment location and use
- Expenditures, match funds and interest if applicable
- Established accounting system
- Project personnel

- Records and Technology
- Adherence to special conditions of the grant if applicable
- Certifications and Assurances
- Confidential buy fund account if applicable
- Contract Records
- Program Operations
- Key personnel/staffing,
- Source documentation,
- Project activities
- The goals and objectives against quarterly progress and the federal PMT reports to determine progression of the project

Fiscal Monitoring: This monitoring is completed by the OCJA Grant Manager’s review of all accounting records and reports supporting the amounts claimed for reimbursement on the Financial Claim forms. The OCJA grants manager also tests transactions for expenditure categories related to the project. This monitoring ensures: the subrecipient maintains proper records, expenses claimed are approved properly, and expenditures follow the program’s scope of work identified in the application or agreement.

OCJA will issue a report within 60 working days of the conclusion of the monitoring visit. When identified during the monitoring, the report describes administrative findings, questioned costs or disallowed costs. A written response by the subrecipient is required within 15 working days of receipt of the OCJA report. The results of failing to submit a response within 15 days to the OCJA findings are the finalization of the findings, and the possible loss of the award.

Withholding or Disallowance of Grant Funds – When a subrecipient fails to comply with any term or condition of the grant award or program guidelines to include, but not limited to those items listed below, OCJA may withhold grant funds and/or disallow expenditures.

- Failure to submit the required Financial Claims in a timely manner.
- Failure to submit the required Monthly Progress reports in a timely manner.
- Failure to submit the federally required quarterly Performance Measurement Tool (PMT) reports in a timely manner.
- Failure to submit the final required reports in a timely manner.
- Failure to resolve audit exceptions on past or current grants in a timely manner.
- Inadequate maintenance of accounting records.
- Failure to cooperate with OCJA staff or representatives to review program and/or fiscal records.
- Failure to resolve supplanting issues.

Similarly, the two reasons below are examples of actions justifying OCJA to reduce or terminate grant funds:

- The subrecipient is failing to comply with terms or conditions of the grant award.
- During the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the state or federal government.

OCJA will issue a written notification to the subrecipient upon determining the need to reduce or terminate grant funds. The termination or reduction does not apply to allowable costs already incurred by the subrecipient when funds are available to pay such costs.

OCJA will review previous awards made to a currently non-compliant subrecipient to verify past compliance. This includes financial management, progress and annual reports, monitoring results, audit reports, and any other relevant documentation. Emphasizing that failure to comply

with any term or condition of a grant award jeopardizes future grant awards to the non-compliant subrecipient agency, its officers or design.

Chapter 23 - Single Audit Requirement

Federal and state fiscal rules, regulations and policies require OCJA to track, document and measure subrecipient's expenditures of federal funds. All subrecipients of federal funds are subject to the accounting and audit requirements found in OMB's Final Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards Guidance, 2 CFR 200. Please see the following website for detailed guidance:

<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#>

Submit a copy of the subrecipient agency's most recent Single Audit Report (SAR) or financial review each year after receipt of federal funds from OCJA. Electronic submission of the SAR is acceptable, or mail the completed audit reports for: state and local governments, institutions of higher education, and not-for-profit organizations to OCJA at 1535 Old Hot Springs Road, Suite 10, Carson City, NV 89706.

OCJA and the Nevada Department of Public Safety reserve the right to audit and examine any/all financial records for any subrecipient during the project's performance period and within a three (3) year period following the conclusion of the project.

In cases of continued inability or unwillingness on the part of a subrecipient to conduct or supply a proper audit, OCJA reserves the right to impose sanctions, as described in 2 CFR 200, State policies and grant guidelines, upon the subrecipient until such time as a proper audit is received by OCJA.

Other sources of information about audit requirements include the subrecipient agency's independent auditing firm and/or the Federal Audit Office.

Single Audit Requirement – Pursuant to 2 CFR 200 Subpart F, the subrecipient is responsible for providing an audit of grant funded activities. At any time, OCJA or BJA may request a review of the following documents:

- Progress in achieving goals and objectives.
- Review of expenditures.
- Compliance with federal, and state rules and statutes, including the grant award agreement, the program guidelines, the request for proposal, and the Project Director's manual.
- Data collection.
- Evaluations and outcome measures and project progression/effectiveness.
- Strategic planning and collaborative efforts and activities.
- Reporting to state and federal funding sources;
- Inventory of equipment, property and supplies procured.

In compliance with 2 CFR 200 Subpart F requirements, applicants for federal funding from OCJA provide the identity of the organization conducting the audit and the anticipated submission date to OCJA of the completed audit report. To assist subrecipients in complying with this requirement, OCJA includes the "Statement of Subgrant Audit Arrangements" form in all grant award packages. This form must be completed and returned to OCJA for review. The signature of the AAO and Project Director on the award page confirms receipt of the required information.

The following are the key points of the audit requirements:

1. All audits must follow 2 CFR 200 Subpart F.
2. Any state or local government agency receiving more than \$750,000 in federal money **from ALL sources** is required to submit a Single Audit report each year. Information on the Single Audit can be found in 2 CFR 200 Subpart F.
3. Any state or local government agency receiving less than \$750,000 in federal money from all sources has the option of submitting a Single Audit or a separate program audit each year.
4. Whether or not the agency falls within the Single Audit Act requirements, all DOJ funded projects are subject to audits by the federal government and OCJA. To that end, subrecipients must cooperate with any state or federal audits by ensuring the availability of all records, equipment, and the availability and cooperation of their staff.
5. In summary, to fulfill the subrecipient audit obligations, submit all audit reports and the management letter provided by the CP A firm conducting the audit to OCJA.

Resolution of Audit Findings – In accordance with the OJP Financial Guide, a written report will be prepared by the subrecipient's independent auditor upon completion of the audit.

Consequences of not performing audits include:

- Withholding of new awards
- Withholding of current awarded funds
- Termination of active grants

Chapter 24 – Close Out Procedures

OCJA established the closeout process to determine the completion of, and compliance with all applicable administrative, and programmatic requirements.

Final Reports – Subrecipients must submit the following reports and documentation to OCJA:

- Final Financial Claim within 60 days of the project closing date.
- The Final Progress Report is a **cumulative evaluation of the entire project**.
- Final PMT on-line report will be submitted in the following reporting period after close of grant.
- Final inventory list and intention memorandum of future use for equipment/property.

OCJA will not make the final payment on the grant without the receipt of the final progress report. When a subrecipient agency is non-compliant with terms and/or conditions of the grant award, for example the timely submission of required reports, remaining funds revert to OCJA and future funding may be jeopardized.

Termination or Suspension – Before grant suspension, reasonable notice and opportunity for hearing will be afforded the subrecipient. The most common grounds for termination of funding are:

- Failure to comply with the U.S. Department of Justice or the OMB circulars/ 2 CFR 200.
- Failure to comply with the terms and conditions of the grant award, including failure to submit reports in a timely and complete fashion.
- Failure to comply with applicable state or local requirements.
- Misuse of federal funds (including supplanting).

Complaints

All formal complaints must be submitted to the:

Administrator

Office of Criminal Justice Assistance

1535 Old Hot Springs Road # 10

Carson City, NV 89706

Please make sure the letter is specific, and list dates, times and outcomes. Please date and sign the letter. In addition, please add any desired outcomes for the complaint.

Appeals

Appeals for unfunded applications must demonstrate the improper application of the grant selection process. File a request for an appeal:

- within seven days of receipt of the notice of denial,
- to the Director of the Nevada Department of Public Safety, 555 Wright Way, Carson City, Nevada 89711-0900.
- in writing, clearly stating how the Office of Criminal Justice Assistance did not follow the administrative rules governing the grant process or the procedure outlined in the instructions.

The review will be conducted as quickly as possible to allow the timely distribution of funds.

Retention of Records – By federal law, retain award records for three (3) years after the end of the state fiscal year that includes the end date of the performance period. For example, if the grant ended 12/30/23, the state fiscal year is considered SFY24 (January 1, 2023 to December 30, 2023). The files must be retained until December 30, 2026 – (SFY27).

The 3-year retention period starts from the date of notification by the awarding agency that the grant is programmatically and fiscally closed, or the submission of the closure of the single audit report which covers the entire award period, whichever event is later. If any litigation, claim, negotiation, audit or other action involving the records has started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues emerging from it or until the end of the regular 3-year period, whichever is later.

Maintenance of Records – Recipients of funds are expected to ensure that records of different projects are identified and maintained separately facilitating the easy location of desired information. Recipients are also obligated to protect records adequately against fire, other damage or theft. When records are stored away from the recipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

Chapter 25 – Organization

Federal funds are appropriated by Congress to the U.S. Department of Justice who provides Federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. Most OCJA federal funding comes from the Office of Justice Programs (OJP) to the Nevada Department of Public Safety's Office of Criminal Justice Assistance for distribution to agencies and organizations within Nevada focused on performing law enforcement functions to improve the criminal justice system, providing drug treatment, corrections and prevention, education, prosecution and court programs.

United States Department of Justice
Office of Justice Programs
Office of the Chief Financial Officer
Office of Management and Budget (OMB)

Nevada Department of Public Safety
Office of Criminal Justice Assistance
1122 GSA Procurement Program

Chapter 26 – References

- **OMB Circulars, before December 23, 2014**
- **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, after December 23, 2014.**

1. Electronic Code of Federal Regulations web site at <https://www.ecfr.gov/>
Office of Management and Budget – Uniform Administrative Requirements, Cost Principles and Requirements for Federal Awards, 2 CFR 200. [eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)
2. Office of Justice, Financial Guide [DOJ Grants Financial Guide 2022 | Welcome to the DOJ Grants Financial Guide | Office of Justice Programs \(ojp.gov\)](#)

Chapter 27 – Forms and Resources

Contact OCJA at ocja@dps.state.nv.us for the most current forms.

Resources

1. CFDA Numbers (Catalog of Federal Domestic Assistance) are now called Assistance Listings. These listings help users find general information about assistance, identify program objectives, eligibility requirements, and links to current opportunities on Grants.gov related to a particular assistance listing. – please use the website below to find the CFDA numbers.
 - a. <https://sam.gov/content/assistance-listings/federal>
2. ADP (Automatic Data Processing Equipment) and Software Prior Approval List, OJP Financial Guide, Chapter 15: Costs Requiring Prior Approval
 - a. http://ojp.gov/archives/financial_guides/financialguide05/part3chap15.htm