

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications to conduct developmental work for a future survey of public defenders. As the primary source for criminal justice statistics in the United States, BJS is responsible for collecting, analyzing, publishing, and disseminating statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This program furthers the Department's mission by identifying the most pressing challenges confronting the justice system and providing information in support of innovative strategies for dealing with these challenges.

Survey of Public Defenders: A Design Study (SPDDS)

Applications Due: May 23, 2016

Eligibility

Eligible applicants are national, regional, state, or local public and private entities, including for-profit and nonprofit organizations, faith-based and community organizations, institutions of higher education, federally recognized Indian tribal governments as determined by the Secretary of the Interior, and units of local government that support initiatives to improve the functioning of the criminal justice system.

Foreign governments, foreign organizations, and foreign institutions of higher education are not eligible to apply.

BJS welcomes applications that involve two or more entities that will carry out the funded Federal award activities; however, one eligible entity must be the applicant and the other(s) must be proposed as subrecipient(s). The applicant must be the entity with primary responsibility for administering the funding, managing the entire project, and appropriately managing and monitoring any subrecipients or, as applicable, for administering any procurement subcontract that would receive federal funds from the applicant under the award. Only one application per lead applicant will be considered; however, a subrecipient may be part of multiple proposals.

BJS may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. All applications are due to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on May 23, 2016.

All applicants are encouraged to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) in Section D. Application and Submission Information

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to support@grants.gov. The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must email the BJS contact identified below **within 24 hours after the application deadline** and request approval to submit their application. Additional information on reporting technical issues is found under “Experiencing Unforeseen Grants.gov Technical Issues” in the [How to Apply](#) section.

For assistance with any other requirements of this solicitation, contact Suzanne M. Strong, Statistician and Program Manager, by telephone at 202-307-0765 or by email at askbjs@usdoj.gov. Include “SPDDS16” in the subject line.

Grants.gov number assigned to this announcement: BJS-2016-9544

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Survey of Public Defenders: A Design Study (SPDDS) (CFDA #16.734)

A. Program Description

Overview

BJS is seeking applications for funding to design a data collection program that surveys public defenders. This study will continue BJS's efforts to collect data on indigent defense in the United States. It will extend efforts of the Census of Public Defender Offices (CPDO) and National Survey of Indigent Defense Providers (NSIDS) to enhance understanding of the work done by public defenders. While the CPDO and NSIDS were conducted at the agency level, the proposed new data collection effort will survey the public defenders who provide services to adults and juveniles charged with a criminal offense.

The successful applicant will produce (1) a report documenting the information needs of the field that could be served by a survey of public defenders and (2) a report proposing a sampling plan to yield nationally representative statistics. Based on these reports, the successful applicant will design and test a survey instrument that provides information on a range of topics (e.g., provider demographics, professional background, caseloads, case outcomes, support services, needs, and emerging issues).

Under section 302 of the Omnibus Crime Control and Safe Streets Act, BJS is authorized to make grants to, or enter into contracts or cooperative agreements with, states (including territories), units of local government, federally recognized Indian tribal governments as determined by the Secretary of the Interior, tribal and nontribal nonprofit and for-profit organizations, institutions of higher education, and certain qualified individuals. For-profit organizations must agree to forgo any profit or management fee.

Program-Specific Information

The Survey of Public Defenders: A Design Study (SPDDS) is an extension of BJS's efforts to collect data about indigent defense in the U.S. The 2013 NSIDS was an agency-level census of all forms of indigent defense delivery (public defender, assigned counsel, and contract counsel) that collected data on office caseloads, staffing, revenue and expenditures, case management systems, office standards, and training. The 2007 CPDO collected the same data, but only from public defender agencies. BJS has never collected data directly from the litigating public defenders responsible for providing indigent defense. The successful applicant for the SPDDS will help BJS expand its indigent defense portfolio beyond agency-level data to collect needed information directly from public defenders.

Goals, Objectives, and Deliverables

The goal of the Survey of Public Defenders: A Design Study (SPDDS) is collect data about indigent defense in the U.S.

The goals of the SPPDS are to 1) develop a detailed understanding of the delivery of indigent defense services from the perspective of the professionals who deliver these services and 2) obtain their assessment from the service and training needs of this component of the criminal justice system. The objective is to identify the needed information and to collect these data directly from those who provide it. SPPDS will be designed to collect information on attorney experience, attorney training, attorney workload, use of support staff, client attributes, case attributes, and quality of representation, as well as emerging issues that may be identified during the development of this project.

The applicant should briefly describe how they would address the below activities and related deliverables.

Attend a kickoff meeting and develop a final time/task plan (Deliverable 1). A kickoff meeting will be held at BJS's offices in Washington, D.C., within the first month of the project period. During the meeting, project staff will review all phases of the work and finalize a comprehensive time/task plan. Within 2 weeks of the kickoff meeting, the successful applicant will deliver a final time/task plan to BJS reflecting all decisions made at the kickoff meeting. The final time/task plan will build on the one presented in the application and will reflect (1) any changes to the project's goals, objectives, and deliverables that may have developed since the application was written and (2) any revisions to the proposed work plan that may have occurred in the period between the application and the award of the cooperative agreement.

Assemble a panel of key experts (Deliverable 2). With BJS input and approval, the successful applicant will develop a panel of experts separate from the project team. The panel will consist of 12 to 15 persons who are knowledgeable in the field of indigent defense. They will help identify information needs and develop the survey questionnaire, data collection plan, and recruitment strategies. The applicant can identify (1) specific persons, associations, or organizations or (2) the types of persons, associations, or organizations to be included on the expert panel. BJS will work with the recipient to finalize the list of panel members. BJS will have final approval of this list.

The application should include costs for two meetings of the expert panel. BJS realizes that the exact cost of convening the expert panel will depend in part on the meeting locations, the size of the panel, and where the panel members reside. Applicants should specify their assumptions regarding the meeting location, size of panel and travel for panel members when budgeting for the expert panel meetings.

Develop key indicators and other issues important to public defenders (Deliverable 3). Before the first expert panel, the successful applicant will prepare a set of materials with necessary presentations and handouts, with approval by BJS. These materials will include the following:

- a definition of the respondent universe (i.e., public defenders who are government employees only or other types of indigent defense providers, such as non-government contractors and assigned or contract counsel)
- the need for information about public defenders and issues that are important to them
- survey items that will be used to collect this information
- a sampling design
- a promotional and recruitment plan to assure a high survey response rate.

The application should describe in detail how the project team will develop each of these initial recommendations. The applicant can use a variety of methods to develop the background materials for the first meeting, including literature reviews, focus group meetings or teleconferences, or consultations with methodologists or other experts. The expert panel will review and assess the project team's initial recommendations.

For discussion at the first meeting of the expert panel, BJS has identified some information domains and key indicators that should be included in the survey.

The first domain, Attorney Experience and Training, has indicators measuring—

1. Attorney demographics
2. Attorney qualifications
3. Attorney trainings.

The second domain, Attorney Workload and Use of Support Staff, has indicators measuring—

1. Number and types of current open cases
2. Access to support staff and the type of support staff used
3. Time spent in various case-related activities.

The third domain, Client and Case Attributes, has indicators measuring—

1. Client demographics
2. Case attributes
3. Case complexity
4. Case outcomes
5. Post-disposition involvement.

The fourth domain, Quality of Representation, has indicators measuring—

1. Case processing stage of initial contact with clients
2. Types of clients served
3. Types of services provided to clients.

Because of the variations in workload, case types, and services provided by public defenders, applicants should describe the methodologies they plan to use in the survey that will yield accurate descriptions of each indicator. This strategy should include a statistically sound plan to collect the required data, methods for minimizing the respondent's burden to provide these data, and a discussion of confidentiality concerns with proposed protections.

Convene the first meeting of the panel of experts (Deliverable 4). This meeting should be guided by the background materials, presentations, and handouts developed in Deliverable 3. After the meeting, the successful applicant will have sufficient information to produce drafts of the reports described below.

Prepare the first drafts of reports (Deliverable 5) and a survey instrument (Deliverable 6). After the first meeting of the expert panel, the applicant will develop a draft of a report titled *Justification for a Survey of Public Defenders*. The report should identify the information needs of the field that can be collected through a survey of public defenders. It should also incorporate the work done by the applicant in Deliverable 3 and any information gained by the first expert panel meeting. The report should propose a definition of public defender to be used for the

remainder of the project. The draft report will lead to the development of the survey instrument, including the proposed questions and response categories.¹

The applicant will also develop the first draft of a report titled *Proposed Data Collection Methods for the Survey of Public Defenders (Deliverable 7)*. It will include recommendations for the development of a respondent universe, a sampling design, a respondent recruitment plan, data collection procedures, and a nonresponse bias study. The universe of public defenders can be developed in various ways. The applicant should consider each method (e.g., using lists of offices and/or attorneys) and describe how the universe and sampling plan will be developed. Upon award, the successful applicant will have access to the NSIDS frame to determine if and how it can be used; however, applicants should also consider other alternatives. This report should discuss the benefits and drawbacks of the proposed method compared to other methods and provide a cost estimate to conduct the proposed study.

The three draft documents will be submitted to BJS for review and comment.

Convene the panel of experts for a second meeting (Deliverable 8). At this meeting, the panel of experts will review and comment on the three draft documents. The expert panel members will also be asked to recommend appropriate candidates for a pilot test.

Finalize and field test the survey instrument and prepare a report. BJS's objective for this design project is to produce a survey instrument, sampling plan, and survey administration plan for fielding the Survey of Public Defenders to a nationally representative sample of public defenders. Although that work is separate from the current study, the final deliverables from this study will include a fully tested survey instrument. Assessing the quality of the proposed instrument will require field testing it with a sample of likely respondents (i.e., a pilot test or cognitive test). Applicants should propose their plans for field testing the survey instrument.

After the second expert panel meeting has been conducted, the applicant should contact the proposed participants for the pilot study and obtain their agreement to participate in the pilot survey portion of the project. The applicant should prepare a pilot survey instrument based on the results of the second expert panel meeting. BJS will review and approve the instrument. If needed, BJS and the applicant will obtain clearance from the Office of Management and Budget (OMB). Next, the applicant will test the instrument. After the pilot surveys are returned and cognitive interviews with the respondents are completed, the successful applicant will prepare a report titled *Pilot Survey Results for the Survey of Public Defenders*. The report will list the names of the respondents recruited for the pilot, their responses to each question, the respondent burden, respondent feedback regarding any aspect of the survey instrument, and the resulting modifications to the draft survey instrument as a result of the pilot study. The successful applicant will use field test results to modify survey instrument items. The development of the pilot survey instrument, fielding of the pilot survey, and production of the report will constitute **Deliverable 9**.

Prepare and submit the final reports and final survey instrument. Using input from the second expert panel meeting and after completing the pilot test, the successful applicant will deliver final drafts of the following:

¹ If the recommended definition includes public defenders who are government employees and other types of indigent defense providers (e.g., non-government contractors, assigned/contract counsel), it is possible that more than one survey instrument would need to be developed. For ease of presentation, this solicitation discusses a single instrument; however, the applicant should consider the need to develop more than one instrument.

- *Justification for a Survey of Public Defenders (Deliverable 10)*. This report will include the final set of research questions that will be answered by the survey and the associated survey items that will be used to answer these questions. It should also present the recommended definition of public defender to be used in the survey and explain why this definition was selected. The report will also discuss any obstacles to obtaining these data from respondents (e.g., professional privacy issues) and how these issues should be addressed.
- Survey instrument with respondent instructions and coding definitions (**Deliverable 11**).
- *Proposed Data Collection Methods for the Survey of Public Defenders (Deliverable 12)*. This report will identify (1) the universe of public defenders, (2) a sampling plan for this universe to produce national estimates of the attributes and experiences of indigent defenders and their workloads, and (3) a recruitment plan to assure a high response rate.

B. Federal Award Information

BJS estimates that it will make one award of up to \$500,000 for up to a 15-month project period, beginning no sooner than October 1, 2016.

BJS may, in certain cases, provide supplemental funding in future years to awards under this solicitation. Important considerations in decisions regarding supplemental funding include, among other factors, the availability of funding, strategic priorities, assessment of the quality of the management of the award (for example, timeliness and quality of progress reports), and assessment of the progress of the work funded under the award.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Type of Award²

BJS expects that it will make any award from this solicitation in the form of a cooperative agreement, which is a particular type of grant used if BJS expects to have ongoing substantial involvement in award activities. Substantial involvement includes direct oversight and involvement with the grantee organization in implementation of the grant, but does not involve day-to-day project management. See [Administrative, National Policy, and other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for details regarding the federal involvement anticipated under an award from this solicitation.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity³) must, as described in the Part 200 Uniform Requirements set out at 2 C.F.R. 200.303:

² See generally 31 U.S.C. §§ 6301-6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements (a type of grant)).

³ For purposes of this solicitation (or program announcement), “pass-through entity” includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

(a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the recipient (and any subrecipient) is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor the recipient’s (and any subrecipient’s) compliance with statutes, regulations, and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the recipient (or any subrecipient) considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available [here](#).

Budget Information

Cost Sharing or Matching Requirement

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

Pre-Agreement Cost (also known as Pre-award Cost) Approvals

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee’s approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP’s consideration as pre-agreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the [Financial Guide](#), for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, recipients may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.⁴ The 2016 salary table for SES employees is available at the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.) For employees who charge only a portion of their time to an award, the allowable amount to be charged is equal to the percentage of time worked times the maximum salary limitation.

The Director of BJS may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on conference approval, planning, and reporting available at www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients and of some conference, meeting, and training costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Solicitation Requirements" in the [OJP Funding Resource Center](#).

⁴ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed at Appendix VIII to 2 C.F.R. Part 200.

C. Eligibility Information

For eligibility information, see title page.

For additional information on cost sharing or matching requirements, see [Section B. Federal Award Information](#).

Limit on Number of Application Submissions

If an applicant submits multiple versions of the same application, BJS will review only the most recent system-validated version submitted. For more information on system-validated versions, see [How to Apply](#).

D. Application and Submission Information

What an Application Should Include

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are determined to be nonresponsive to the scope of the solicitation, or that do not include the application elements that BJS has designated to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, Budget Narrative, and résumés/curriculum vitae of key personnel. For the purposes of this solicitation, “key personnel” means the principal investigator and any and all co-principal investigators. Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés s in a single file.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

Intergovernmental Review: This funding opportunity (program) **is not** subject to [Executive Order 12372](#). (In completing the SF-424, applicants are to make the appropriate selection in response to question 19 to indicate that the “Program is not covered by E.O. 12372.”)

2. Project Abstract

The project abstract is a very important part of the application, and serves as an introduction to the proposed project. BJS uses the project abstract for a number of purposes, including the possible assignment of the application to an appropriate review panel. If the application is funded, the project abstract typically will become public information and be used to describe the project.

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience
- Submitted as a separate attachment with “Project Abstract” as part of its file name
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

All project abstracts should follow the detailed template available at ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf.

Permission to Share Project Abstract with the Public: It is unlikely that BJS will be able to fund all applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such proposals.

In the project abstract template, applicants are asked to indicate whether they give OJP permission to share their project abstract (including contact information) with the public. Granting (or failing to grant) this permission will not affect OJP’s funding decisions, and, if the application is not funded, granting permission will not guarantee that abstract information will be shared, nor will it guarantee funding from any other source.

Note: OJP may choose not to list a project that otherwise would have been included in a listing of unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

3. Program Narrative

The program narrative section of the application should not exceed 30 double-spaced pages in 12-point font with 1-inch margins. If included in the main body of the program narrative, tables, charts, figures, and other illustrations count toward the 30-page limit for the narrative section. The project abstract, table of contents, appendices, and government forms do not count toward the 30-page limit.

If the program narrative fails to comply with these length-related restrictions, BJS may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative:

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting the Data Required for this Solicitation’s Performance Measures

To demonstrate program progress and success, as well as, to assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. OJP will require any award recipient, post award, to provide the data requested in the “Data Grantee Provides” column so that OJP can calculate values for the “Performance Measures” column. Performance measures for this solicitation are as follows:

Objective	Performance Measure(s)	Data Grantee Provides
To develop, design, and test a pilot study of public defenders.	Increase stakeholder participation.	A list of proposed expert panel members and justification for inclusion; BJS will review resumes before the panel is finalized.
	Number of expert panel meetings held.	Plan and hold expert panel meetings on the scheduled dates.
	Identified gaps that can be addressed by proposed research.	Use feedback from expert panel to develop survey instrument and revise reports.
	Number of deliverables completed on time.	BJS-approved list of stakeholders participating in expert panel.
	Number of deliverables that meet expectations.	Prepare and submit drafts of <i>Justification for a Survey of Public Defenders, Proposed Data Collection Methods for a Survey of Public</i>

		<p><i>Defenders</i>, and survey instruments.</p> <p>Prepare and submit final drafts of Justification for a Survey of Public Defenders, Proposed Data Collection Methods for a Survey of Public Defenders, Pilot Survey Results for the Survey of Public Defenders, and survey instruments with associated documentation.</p>
	Milestones and deadlines met.	Quarterly progress reports reflecting progress in each area of the project and ensuring project's budget is being used proportionately.
	Number of meetings and/or conference calls attended.	Routine meetings, including bi-weekly conference calls with BJS staff to monitor project progress.

e. Appendices (not counted against the 30-page program narrative limit) include—

- Bibliography or references.
- Any tools or instruments; questionnaires; tables, charts, or graphs; or maps pertaining to the proposed project that are supplemental to such items included in the main body of the narrative.
- Curriculum vitae or résumés of the principal investigator and any and all co-principal investigators. In addition, curriculum vitae, resumes, or biographical sketches of all other individuals (regardless of “investigator” status) who will be significantly involved in substantive aspects of the proposal (including, for example, individuals such as research methodologists serving as consultants to develop sampling strategies; and experts with knowledge of indigent defense, with a particular focus on public defenders).
- List (to the extent known) of all proposed project staff members, including those affiliated with the applicant organization or any proposed subrecipient organization(s), any proposed consultant(s) and contractors (whether individuals or organizations), and any proposed members of an advisory board for the project (if applicable). The list should include, for each individual and organization: name, title (if applicable), employer or other organizational affiliation, and roles and responsibilities proposed for the project.
- A detailed proposed project timeline with expected milestones and level of staff effort for each phase of the work.

- A privacy certificate and human subjects protection certification of compliance must be completed for each project proposed in an application.
 - **Privacy Certification.** The Privacy Certificate is a funding recipient's certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable data. A model certificate is located at www.bjs.gov/content/pub/pdf/bjsmpc.pdf.
 - **Human Subjects Protection Certification of Compliance.** BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, can be accessed at www.bjs.gov/content/hscr.cfm.
- List of any previous and current BJS awards to applicant organization and investigator(s), including the BJS-assigned award numbers and a brief description of any scholarly products that resulted in whole or in part from work funded under the BJS award(s).
- Letters of cooperation/support or administrative agreements from organizations collaborating in the project, such as universities, public defender offices, legal aid providers, or other attorney membership organizations.
- List of other agencies, organizations, or funding source to which this proposal has been submitted (if applicable).

4. Budget Detail Worksheet and Budget Narrative

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. Applicants that submit their budget in a different format should include the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should be broken down by year.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Financial Guide at <http://ojp.gov/financialguide/DOJ/index.htm>.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost

effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

IMPORTANT NOTE: BJS requires that the application include a separate Budget Detail Worksheet and Budget Narrative for each proposed subcontractor or subrecipient of funds associated with the proposed program.

c. Non-Competitive Procurement Contracts In Excess of Simplified Acquisition Threshold

If an applicant proposes to make one or more non-competitive procurements of products or services, where the non-competitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at \$150,000, the application should address the considerations outlined in the [Financial Guide](#).

d. Pre-Agreement Cost Approvals

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only under the following circumstances:

- The applicant has a current, federally approved indirect cost rate; or
- The applicant is eligible to use and elects to use the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.414(f).

Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the applicant’s accounting system permits, costs may be allocated in the direct cost categories. For the definition of Cognizant Federal Agency, see the “Glossary of Terms” in the [Financial Guide](#). For assistance with identifying your cognizant agency, please contact the Customer Service Center at 800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

In order to use the “de minimis” indirect rate, attach written documentation to the application that advises OJP of both the applicant’s eligibility (to use the “de minimis” rate) and its election. If the applicant elects the “de minimis” method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as

both. In addition, if this method is chosen then it must be used consistently for all federal awards until such time as you choose to negotiate a federally approved indirect cost rate.⁵

6. Tribal Authorizing Resolution (if applicable)

Tribes, tribal organizations, or third parties proposing to provide direct services or assistance to residents on tribal lands should include in their applications a resolution, a letter, affidavit, or other documentation, as appropriate, that certifies that the applicant has the legal authority from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for a grant on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

7. Applicant Disclosure of High Risk Status

Applicants are to disclose whether they are currently designated high risk by another federal grant making agency. This includes any status requiring additional oversight by the federal agency due to past programmatic or financial concerns. If an applicant is designated high risk by another federal grant making agency, you must email the following information to OJPComplianceReporting@usdoj.gov at the time of application submission:

- The federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact name, phone number, and email address, from that federal agency
- Reasons for the high risk status

OJP seeks this information to ensure appropriate federal oversight of any grant award. Disclosing this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

Additional Attachments

a. Applicant Disclosure of Pending Applications⁶

Applicants are to disclose whether they have pending applications for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to State agencies that will subaward federal funds).

⁵ See 2 C.F.R. § 200.414(f).

⁶ Typically, the applicant is not the principal investigator; rather, the applicant, most frequently, is the institution, organization, or company in which the principal investigator is employed.

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Applicants should include the table as a separate attachment to their application. The file should be named “Disclosure of Pending Applications.”

Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., “[Applicant Name on SF-424] does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.”).

b. Research and Evaluation Independence and Integrity

If a proposal involves research and/or evaluation, regardless of the proposal’s other merits, in order to receive funds, the applicant must demonstrate research/evaluation independence, including appropriate safeguards to ensure research/evaluation objectivity and integrity, both in this proposal and as it may relate to the applicant’s other current or prior related projects. This documentation may be included as an attachment to the application which addresses BOTH i. and ii. below.

- For purposes of this solicitation, applicants must document research and evaluation independence and integrity by including, at a minimum, one of the following two items:

- a. A specific assurance that the applicant has reviewed its proposal to identify any research integrity issues (including all principal investigators and sub-recipients) and it has concluded that the design, conduct, or reporting of research and evaluation funded by BJS grants, cooperative agreements, or contracts will not be biased by any personal or financial conflict of interest on the part of its staff, consultants, and/or sub-recipients responsible for the research and evaluation or on the part of the applicant organization;

OR

- b. A specific listing of actual or perceived conflicts of interest that the applicant has identified in relation to this proposal. These conflicts could be either personal (related to specific staff, consultants, and/or sub-recipients) or organizational (related to the applicant or any subgrantee organization). Examples of potential investigator (or other personal) conflict situations may include, but are not limited to, those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization could not be given a grant to evaluate a project if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), as the organization in such an instance would appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.
- ii. In addition, for purposes of this solicitation applicants must address the issue of possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no potential personal or organizational conflicts of interest exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. Applicants MUST also include an explanation of the specific processes and procedures that the applicant will put in place to identify and eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest.

OR

- b. If the applicant has identified specific personal or organizational conflicts of interest in its proposal during this review, the applicant must propose a specific and robust mitigation plan to address conflicts noted above. At a minimum, the plan must include specific processes and procedures that the applicant will put in place to eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

Considerations in assessing research and evaluation independence and integrity will include, but are not limited to, the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the organization in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

8. Financial Management and System of Internal Controls Questionnaire

In accordance with the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.205, Federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a Federal award. To facilitate part of this risk evaluation, **all** applicants (other than an individual) are to download, complete, and submit this [form](#).

9. Disclosure of Lobbying Activities

All applicants must complete this information. Applicants that expend any funds for lobbying activities are to provide the detailed information requested on the form [Disclosure of Lobbying Activities \(SF-LLL\)](#). Applicants that do not expend any funds for lobbying activities are to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

How to Apply

Applicants must register in, and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at www.Grants.gov. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications 72 hours prior to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

BJS strongly encourages all prospective applicants to sign up for Grants.gov email [notifications](#) regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

Browser Information: Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

Note on Attachments. Grants.gov has two categories of files for attachments: mandatory and optional. OJP receives all files attached in both categories. Please ensure all required documents are attached in the mandatory category.

Note on File Names and File Types: Grants.gov only permits the use of certain specific characters in names of attachment files. Valid file names may include only the characters shown in the table below. Grants.gov is designed to reject any application that includes an attachment(s) with a file name that contains any characters not shown in the table below.

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ()	Curly braces { }	Square brackets []
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore (_)	Comma (,)	Semicolon (;)	Apostrophe (')
Hyphen (-)	At sign (@)	Number sign (#)	Dollar sign (\$)
Space	Percent sign (%)	Plus sign (+)	Equal sign (=)
Period (.)	When using the ampersand (&) in XML, applicants must use the “&” format.		

Grants.gov is designed to forward successfully submitted applications to the OJP Grants Management System (GMS).

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

OJP may not make a federal award to an applicant organization until the applicant organization has complied with all applicable DUNS and SAM requirements. Individual applicants must comply with all Grants.gov requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Individual applicants should search Grants.gov for a funding opportunity for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. Complete the registration form at <https://apply07.grants.gov/apply/IndCPRegister> to create a username and password. Individual applicants should complete all steps except 1, 2 and 4.

- 1. Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The

identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

- 2. Acquire registration with the System for Award Management (SAM).** SAM is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires all applicants (other than individuals) for federal financial assistance to maintain current registrations in the SAM database. Applicants must be registered in SAM to successfully register in Grants.gov. Applicants must **update or renew their SAM registration annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Applications cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take up to 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.sam.gov.

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process for organizations, go to www.grants.gov/web/grants/register.html. Individuals registering with Grants.gov should go to <http://www.grants.gov/web/grants/applicants/individual-registration.html>.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- 5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance number for this solicitation is 16.734, titled "Special Data Collections and Statistical Studies," and the funding opportunity number is BJS-2016-9544.
- 6. Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application and the second will state whether the application has been successfully validated, or rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received and then receive a rejection notice a few minutes or hours later. Submitting well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges applicants to submit applications **at least 72 hours prior** to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. All applications are due

to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on May 23, 2016.

Click [here](#) for further details on DUNS, SAM, and Grants.gov registration steps and timeframes.

Note: Duplicate Applications

If an applicant submits multiple versions of the same application, BJS will review only the most recent system-validated version submitted. See Note on File Names and File Types under [How to Apply](#).

Experiencing Unforeseen Grants.gov Technical Issues

Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must contact the Grants.gov [Customer Support Hotline](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. Then the applicant must email the BJS contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The email must describe the technical difficulties, and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s). **Note: BJS does not automatically approve requests.** After the program office reviews the submission, and contacts the Grants.gov or SAM Help Desks to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all required procedures, which resulted in an untimely application submission, OJP will deny the applicant's request to submit their application.

The following conditions are generally insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, including firewalls, browser incompatibility, etc.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at <http://ojp.gov/funding/index.htm>.

E. Application Review Information

Selection Criteria

1. **Statement of the Problem** (Understanding of the problem and its importance) – (15%)
The application should demonstrate knowledge of the issues and information needs surrounding public defenders and how this information could be used to influence policy decisions.

2. Project Design and Implementation (Quality and technical merit) – (45%)

This work has multiple phases. Applications will be assessed according to the strength of descriptions about and plans to develop each deliverable. In addition, the application should include (1) the reasons behind the initial proposed definition of a public defender, (2) the criteria the applicant will use to identify the expert panel, (3) the applicant's understanding of the expert panel's role, (4) how the applicant will develop their understanding of the information needs of the field, (5) the applicant's preliminary thoughts on a sampling plan, and (6) the applicant's initial ideas on the collection of data through a survey instrument. The application should also include a reasonable time frame and staff commitment for producing each deliverable, and projected interim and final delivery dates. The applicant should develop a detailed time/task plan showing the time periods for all subtasks, dates for major milestones and deliverables throughout the project, and levels of effort of key staff on all subtasks/deliverables.

3. Capabilities and Competencies (Capabilities, demonstrated productivity, and experience of the applicant organization and proposed project staff) – (30%)

This work requires a team with knowledge of (1) the scope of work of public defenders and (2) how variations in state legislation and organizational structures at the state and local levels affect public defenders' activities and caseloads. It also requires a team with the ability to develop nationally representative surveys capable of (1) measuring individual attributes, work environments, and workloads and (2) collecting data from survey respondents. The applicant team should demonstrate its ability to (1) develop a comprehensive understanding of information needs of the indigent defense field, (2) design and test survey instruments, and (3) develop a sampling plan to generate statistically sound national estimates with an acceptable degree of precision. The application should provide a clear description of the project's management and organization that supports successful completion of the project's milestones within expressed time frames. The applicant should demonstrate the team's competencies in identifying key resources to develop the topics of importance to public defenders. This includes identifying organizations, persons, and relevant literature sources. Finally, the applicant must demonstrate methodological knowledge, including the development of nationally representative samples and how to effectively survey individuals.

4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%)

5. Budget: complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities) (5%)

Budget narratives should generally demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.⁷

Peer reviewers will consider and may comment on the following additional items in the context of scientific and technical merit.

- Appropriateness of the budget relative to the level of effort
- Use of existing resources to conserve costs

⁷ Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

- Proposed budget alignment with proposed project activities
- The extent to which staff resources allocated in the budget are appropriate for the project tasks (i.e., appropriateness of budgeted items for achieving project goals)

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether applicants have met basic minimum requirements, OJP screens applications for compliance with specified program requirements to help determine which applications should proceed to further consideration for award. Although program requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP grant programs:

- Applications must be submitted by an eligible type of applicant
- Applications must request funding within programmatic funding constraints (if applicable)
- Applications must be responsive to the scope of the solicitation
- Applications must include all items designated as “critical elements”
- Applicants will be checked against the System for Award Management (SAM)

For a list of critical elements, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

BJS may use internal peer reviewers, external peer reviewers, or a combination, to assess applications meeting basic minimum requirements on technical merit using the solicitation’s selection criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. A peer review panel will evaluate, score, and rate applications that meet basic minimum requirements. Peer reviewers’ ratings and any resulting recommendations are advisory only, although their views are considered carefully. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance under prior BJS and OJP awards, and available funding.

OJP reviews applications for potential discretionary awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity
2. Quality of management systems and ability to meet the management standards prescribed in the Financial Guide
3. History of performance
4. Reports and findings from audits
5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on award recipients

6. Proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs, and whether those costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations

All final award decisions will be made by the director of the Bureau of Justice Statistics. Peer reviewers' ratings and any resulting recommendations are advisory only, although their views are considered carefully. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, planned scholarly products, proposed budgets, past performance (including scholarly products) under prior BJS and OJP awards, research independence and integrity, strategic priorities, and available funding when making awards.

F. Federal Award Administration Information

Federal Award Notices

OJP sends award notification by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and how to accept the award in GMS. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date (by September 30, 2016). Recipients will be required to log in; accept any outstanding assurances and certifications on the award; designate a financial point of contact; and review, sign, and accept the award. The award acceptance process involves physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its [Solicitation Requirements](#) page of the [OJP Funding Resource Center](#).

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of the [OJP Funding Resource Center](#) and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document

contains award terms and conditions that specify national policy requirements⁸ with which recipients of federal funding must comply; uniform administrative requirements, cost principles, and audit requirements; and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or -access, or information security; or audit requirements, expenditures and milestones, or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via the [Mandatory Award Terms and Conditions](#) page of the [OJP Funding Resource Center](#).

As stated above, BJS anticipates that it will make any award from this solicitation in the form of a cooperative agreement. Cooperative agreement awards include standard “federal involvement” conditions that describe the general allocation of responsibility for execution of the funded program. Generally stated, under cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient in implementing the funded and approved proposal and budget, and the award terms and conditions. Responsibility for oversight and redirection of the project, if necessary, rests with BJS.

In addition to any “federal involvement” condition(s), OJP cooperative agreement awards include a special condition specifying certain reporting requirements required in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award, consistent with OJP policy and guidance on conference approval, planning, and reporting.

BJS awards under this kind of solicitation will include a number of special conditions including the following four, among others:

- First, the project will be funded as a cooperative agreement. The basis for using a cooperative agreement is BJS’s substantial involvement in providing information, guidance, and direction relative to special data collections and the development of statistical studies. BJS will exercise general approval over the entire project subject to the recipient’s rights to disclose and publish certain information after review and comment by BJS, as set forth in this memorandum.
- Second, the award recipient will agree that no funds provided may be used to author or prepare reports, journal articles, speeches or studies, or other publications without the prior written approval of BJS, regardless of whether the data used in the publications or other releases are publicly available.

⁸ See *generally* 2 C.F.R. 200.300 (provides a general description of national policy requirements typically applicable to recipients of Federal awards, including the Federal Funding Accountability and Transparency Act of 2006 (FFATA)).

- Third, BJS will retain all rights to exclusive use of any data collected using the pilot instrument (if applicable). These data will not be released to the public because OMB generic clearance does not allow for data dissemination. The award recipient will not be able to release or disclose any data collected through this cooperative agreement without prior written BJS approval. This includes, but is not limited to, presentations at professional conferences and meetings, press releases, and/or grant applications. BJS-protected data include all data that BJS collects but has not yet released publicly. It does not include aggregate results derived from the data by the recipient provided that such results do not contain any confidential, proprietary, or personally identifiable information.
- Fourth, the award recipient will retain a non-exclusive use of any methodological findings derived by the recipient or BJS from the project subject to the following condition: Only with the prior review and written comment by BJS, which includes the mutual agreement on the representation of BJS's methodologies, may the recipient publicly disclose its or BJS's methodologies derived from the project prior to the publication of the final report. Such review and comment period shall not exceed 45 days after receipt of the proposed publication. Any such disclosures of recipient's or BJS's methodologies must be public in nature and contribute meaningfully to the development and/or advancement of social science research. Public disclosure may include, but is not limited to, presentations at professional conferences and meetings, articles appearing in widely distributed publications, Internet postings, or similar outlets that constitute a broad public release of the methodological information.

General Information about Post-Federal Award Reporting Requirements

Recipients must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements. Applicants should anticipate that progress reports will be required to follow the non-budgetary components of the Research Performance Progress Report (RPPR) template/format. General information on RPPRs may be found at www.nsf.gov/bfa/dias/policy/rppr/. Future awards and fund drawdowns may be withheld if reports are delinquent.

Special Reporting requirements may be required by OJP depending on the statutory, legislative, or administrative obligations of the recipient or the program.

G. Federal Awarding Agency Contact(s)

For Federal Awarding Agency Contact(s), see title page.

For contact information for Grants.gov, see title page.

H. Other Information

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review/peer review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. Replies are **not** sent from this

mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or email listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojpeerreview@lmsolas.com. The OJP Solicitation Feedback email account will not forward your résumé. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Application Checklist

Survey of Public Defenders: A Design Study (SPDDS)

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:

Prior to Registering in Grants.gov:

- Acquire a DUNS Number (see page 21)
- Acquire or renew registration with SAM (see page 22)

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see page 22)
- Acquire AOR confirmation from the E-Biz POC (see page 22)

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov (see page 22)
- Download Funding Opportunity and Application Package (see page 21)
- Sign up for Grants.gov email [notifications](#) (optional) (see page 20)
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (see page 10)

After Application Submission, Receive Grants.gov Email Notifications That:

- (1) application has been received,
- (2) application has either been successfully validated or rejected with errors (see page 22)

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- contact BJS regarding experiencing technical difficulties (see page 23)

General Requirements:

- Review the [Solicitation Requirements](#) in the OJP Funding Resource Center.

Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$500,000.

Eligibility Requirement: Eligible applicants are national, regional, state, or local public and private entities, including for-profit and nonprofit organizations, faith-based and community organizations, institutions of higher education, federally recognized Indian tribal governments as determined by the Secretary of the Interior, and units of local government that support initiatives to improve the functioning of the criminal justice system.

What an Application Should Include:

- Application for Federal Assistance (SF-424) (see page 11)
- Intergovernmental Review (see page 12)
- Project Abstract (see page 12)
- Program Narrative (see page 12)
- Budget Detail Worksheet (see page 15)

_____	Budget Narrative	(see page 15)
_____	Indirect Cost Rate Agreement (if applicable)	(see page 16)
_____	Tribal Authorizing Resolution (if applicable)	(see page 17)
_____	Applicant Disclosure of High Risk Status	(see page 17)
_____	Additional Attachments	
_____	_____ Applicant Disclosure of Pending Applications	(see page 17)
_____	_____ Research and Evaluation Independence and Integrity	(see page 18)
_____	Financial Management and System of Internal Controls Questionnaire	
		(see page 20)
_____	Disclosure of Lobbying Activities (SF-LLL)	(see page 20)
_____	Employee Compensation Waiver request and justification (if applicable)	(see page 10)