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## FY 2019 Guidance for Invited Applications from the City of San Antonio Police Department (2016-FU-CX-K057) for the National Crime Statistics Exchange (NCS-X) Implementation Assistance Program Continued Support for Program Participants

Applications Due: Refer to Deadline in OJP Invitation Letter

This Guidance for Invited Applications is intended for prospective applicants that have received a specific formal written invitation from OJP to apply for funding to conduct a particular program or project (the "OJP Invitation Letter"). This Guidance for Invited Applications **supplements** the information in the OJP Invitation Letter. Together, this Guidance for Invited Applications and the OJP Invitation Letter make up the invited application guidance the invited applicant is to use to prepare its application for funding, once it has received a formal written invitation from OJP to apply.

This invited application guidance incorporates the [OJP Grant Application Resource Guide<sup>1</sup>](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants for the preparation and submission to OJP of applications for funding. If this invited application guidance expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this invited application guidance as to that provision.

**Eligibility** (Who may apply): In general, OJP expects that a prospective applicant that is sent an OJP Invitation Letter will be eligible to receive funding as described in the invitation. (Under certain circumstances, however, OJP ultimately may determine that an invited applicant is not, in fact, legally eligible to receive an award.)

BJS will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). The applicant must be the entity that would have primary

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<sup>1</sup> References to the "solicitation" in the OJP Grant Application Resource Guide generally should be understood (unless expressly stated otherwise) to mean the invited application guidance provided here or the program or project(s) described in the invited application guidance.

responsibility for carrying out the award, including administering the funding and managing the entire project. For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

### **Contact information**

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 888-549-9901, option 3, or via email at [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov). The [GMS](#) Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJS contact identified in the OJP Invitation Letter **within 24 hours after the application deadline** to request approval to submit its application after the deadline. For information on reporting technical issues see “Experiencing Unforeseen GMS Technical Issues” in the **How to Apply (GMS)** section in the [OJP Grant Application Resource Guide](#).

For assistance with any other part of this Guidance for Invited Applications, contact the OJP staff member identified in the OJP Invitation Letter.

### **Post-Award Legal Requirements Notice**

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

### **Deadline details**

Applicants must register in the OJP Grants Management System (GMS) at <https://grants.ojp.usdoj.gov/> prior to submitting an application. All applicants must register, even those that previously registered in GMS. Select the “Apply Online” button associated with the solicitation title identified in the OJP Invitation Letter. All registrations and applications are due by 5:00 p.m. eastern time on July 30, 2019.

For additional information, see the **How to Apply (GMS)** section in the [OJP Grant Application Resource Guide](#).

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**FY 2019 Guidance  
for Invited Application from the City of San  
Antonio Police Department (2016-FU-CX-K057)  
for the National Crime Statistics Exchange (NCS-  
X) Implementation Assistance Program  
Continued Support for Program Participants  
CFDA # 16.734**

**A. Program Description**

**Project-Specific Information**

Please review the Program section of the original solicitation posted at <https://www.bjs.gov/content/pub/pdf/ncsxs11a16sol.pdf>

The National Crime Statistics Exchange (NCS-X) is an effort to expand the FBI's National Incident-Based Reporting System (NIBRS) into a nationally representative system of incident-based crime statistics. The goal of NCS-X is to enroll a sample of 400 scientifically selected law enforcement (LE) agencies to submit data to NIBRS; when these 400 new NIBRS-reporting agencies are combined with the more than 6,800 agencies that report NIBRS data to the FBI, the nation will have a nationally representative system of crimes known to law enforcement from which to generate incident-based crime statistics. These incident-based data will draw upon the attributes and circumstances of criminal incidents and allow for more detailed descriptions of crime in the US.

The sample-based approach to enrolling new NIBRS reporting agencies will allow the production of national estimates of crime based on incident-based data, while the FBI continues to transition NIBRS to the system to which all LE agencies in the United States submit their reported crime and arrest data. The sample of 400 agencies has been drawn, including a subset of additional agencies held in reserve to replace agencies that may decline to participate and to accommodate other needs for replacement.

Funding under this solicitation will support local LE agencies with 750 or more sworn officers selected for the sample of agencies included in the National Crime Statistics Exchange (NCS-X) to report incident-based crime data to the FBI, either through their state National Incident-Based Reporting System (NIBRS)-certified Uniform Crime Reporting (UCR) Program or directly to the FBI. Bureau of Justice Statistics (BJS) funding decisions under this solicitation will be made in coordination and concurrence with the FBI's Criminal Justice Information Services (CJIS) Division.

BJS seeks proposals from local LE agencies with 750 or more sworn officers that were selected for the sample of agencies included in the National Crime Statistics Exchange (NCS-X) to report incident-based crime data to the FBI's NIBRS, either through their state NIBRS-certified UCR Program or directly to the FBI. BJS has partnered with the FBI's CJIS Division, which established and maintains the NIBRS program, for this project. The FBI has formally announced

its intention to establish NIBRS as the LE crime data reporting standard for the nation, with a complementary plan to retire the Summary Reporting System (SRS) of the UCR Program. This will result in a large increase in the number of local LE agencies reporting incident-based data to the state UCR Program and to the FBI. The typical mechanism by which a local agency contributes data to NIBRS is through its “state pipeline,” where agencies report their state-specific incident-based crime data to the NIBRS-certified UCR Program in their respective state, and the state agency then sends the data from all of the state’s contributing agencies to the FBI.

The FBI advocates the use of the state pipeline for crime data reporting, a view that BJS supports. For instances in which the state is not able to receive incident-based data from local LE agencies, the FBI is willing to receive the incident-based data directly from the local agencies until the state pipeline is in place. The plan to transition local agencies to incident-based reporting (IBR) requires that local LE agencies work closely with the state UCR Program to ensure the incident-based data submitted by local agencies meet the requirements of the state program. Enhancing the ability of the largest LE agencies in the nation (those with 750 or more sworn officers) to submit incident-based data to their state UCR Program or to the FBI directly is an effort jointly supported by BJS and the FBI’s CJIS Division.

### **Goals, Objectives, and Deliverables**

The NCS-X Implementation Assistance Program Continued Support for Program Participants is designed to enhance, through improved automation, the capabilities of states and local law enforcement agencies to report incident-based crime data to the Federal Bureau of Investigation’s National Incident-Based Reporting System (NIBRS). Improvements to automation include activities at the local level for receiving and processing incident-based data for submission to NIBRS and activities required by eligible local LE agencies in the state to transition to incident-based reporting (IBR) to the state. Under this solicitation, funding is available for activities at the local level that support (1) the implementation of a new incident-based crime reporting program certified by the FBI to report data to NIBRS that is compatible with the state Uniform Crime Reporting (UCR) Program, (2) the expansion of an existing local-level crime reporting program currently certified to report data to NIBRS to enable it to process data from additional local LE agencies, or (3) subcontracting funds to support the transition of eligible local LE agencies to IBR.

In 2016, BJS sought applications for funding from local agencies through the NCS-X Implementation Assistance Program: Phase III - Support for Large Local Agencies. The Phase III Program sought proposals from local LE agencies with 750 or more sworn officers. Enhancing the ability of the largest LE agencies in the nation to submit incident-based data to their state UCR Program or to the FBI directly is a priority effort for NCS-X. The San Antonio Police Department (SAPD) is one of these agencies. As one of the largest agencies in Texas, SAPD is a self-representing NCS-X sample agency that is critical to the NIBRS national estimation program.

Currently, SAPD officers use laptops to enter incident reports, with offense codes mapped to UCR Summary Based Reporting offense classifications from the state penal codes. While the NIBRS data elements are included in the design of the Automated Field Reporting (AFR) system, the SAPD AFR is currently customized to exclude NIBRS data output based on the NIBRS edit checks and validation rules.

Through a competitive peer review process, the San Antonio Police Department was awarded \$87,978 to assist with—

- implementation of NIBRS modifications into the existing AFR;
- conversion of currently used incident forms to be NIBRS compliant;
- development of a testing environment for these modifications; and,
- implementation of NIBRS modifications into the SAPD production environment.

In June 2016, SAPD entered into an agreement with Denali to provide project management, implementation, and technical assistance services for the SAPD transition to NIBRS. Specifically, Denali was selected to upgrade the SAPD AFR and Records Management System (RMS) software to recognize NIBRS modifications to incident forms and implement quality controls via edit check rules to ensure the modifications met required standards of data quality. Following the selection of Denali as the vendor, through a series of sales and purchases, the contract was assumed by Hexagon.

Following acquisition of Denali, Hexagon assumed responsibility for meeting the requirements of the contract. Pursuant to the previously agreed upon contract, Hexagon was scheduled to deliver NIBRS modifications into production in 2019. Although the upgrading process was initiated in 2017, the validation tests conducted by SAPD continued to reveal software errors that impacted accurate recording of crime data. These issues and delays continued throughout 2018, and Hexagon continued to experience difficulties meeting the obligations outlined in the contract. To date Hexagon has been unable to incorporate or activate the NIBRS validation rules and edit checks into the AFR software and has been unable to create an automated extraction and reporting program in a format acceptable to SAPD or the state repository housed at the Texas Department of Public Safety (TxDPS). Further, Hexagon has been unable to provide SAPD with a viable timeline for the delivery of a working product.

SAPD was faced with a decision to continue with Hexagon in hopes of a resolution or pursue alternative recourse to ensure the transition to NIBRS by the January 2021 deadline. With the support of the City Council, SAPD chose to release a Request for Proposals (RFP) in April 2019 for the purchase of a new NIBRS compliant RMS. The RFP closed on May 20, 2019, and SAPD is in the process of evaluating the responses and selecting a vendor.

Recognizing the importance of a successful NIBRS transition for SAPD, the City of San Antonio sought competitive bids from qualified vendors to secure a NIBRS compliant RMS. In addition, TxDPS indicated that upon successful application, additional funding for NIBRS transition may become available. Any funding to assist SAPD's conversion to a NIBRS compliant system will be unknown until September 2019. Regardless, it is anticipated that SAPD will require additional funding to procure a NIBRS compliant RMS. The purpose of this noncompetitive supplemental request is to provide SAPD with additional resources to purchase the necessary upgrade to implement a NIBRS compliant RMS.

The application for funding should include a description of the goals and activities related to the proposed project, including the specific tasks to be completed under this invited award, key responsibilities and deliverables, and a task and deliverable timeline. The statement of work should include, at minimum, the following tasks and objectives described below:

**Description of Proposed Project:**

The SAPD will purchase a new RMS, in order to transition from the current Hexagon product. Specifically, funding under this request will be used to accomplish the following tasks:

1. Purchase a NIBRS compliant RMS and ensure compatibility with field-based reporting and other ancillary systems;

2. Purchase servers and related hardware and software necessary to run the RMS and the new technology;
3. Obtain contract support for procuring necessary servers and related hardware and software to bring those new products online;
4. Implement an effective communications strategy to keep the state of Texas and TxDPS state UCR Program, and BJS up to date on all work related to this award.

Key responsibilities and/or deliverables include:

- Documentation verifying that the agency has been certified by the state UCR Program to report IBR data to the TxDPS.

Additional related responsibilities and deliverables:

- The grantee will provide a detailed timeline outlining key dates for completion of tasks, the date of delivery for each deliverable and status report, and the dates for scheduled meetings.
- The grantee will oversee a communications strategy that keeps BJS and other partners up to date on all project activities, to include routine management meetings and communications with the BJS grant manager. Communications may be via phone, in-person, email, Internet, or other means.
- The grantee will provide monthly, written progress reports. The reports should include (1) brief summary of all activities performed during the month, (2) problems encountered during the month and proposed or enacted solutions, (3) discussion of the expenditure of funds, and (4) the status of the project relative to the remaining funds. Progress reports will be due within 10 business days after the end of each month or on a date each month as determined jointly by the grantee and the BJS grant manager.

**Description of Conference Activities (if applicable):** No conference activities are planned.

Refer to the OJP Invitation Letter for additional information on the goals, objectives, and deliverables that OJP expects the applicant's proposed project to address. The OJP Invitation Letter also provides important information on associated performance measures and the data that will be required for those performance measures. Also, see the goals, objectives and deliverables stated in the original solicitation posted at <https://www.bjs.gov/content/pub/pdf/ncsxsla16sol.pdf>

**Information Regarding Potential Evaluation of Programs and Activities**

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under any award made from this invited application. For additional information, see the [OJP Grant Application Resource Guide](#) section, entitled, "Information Regarding Potential Evaluation of Programs and Activities."

**B. Federal Award Information**

Refer to the OJP Invitation Letter for information on the maximum amount of funds OJP expects to award, and the expected period of performance for an 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 Award**

The OJP Invitation Letter specifies the type of award (that is, grant or cooperative agreement) OJP expects to make for any award made in response to the invited application.

See the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants (and cooperative agreements). (A cooperative agreement is a type of award that provides for OJP to have substantial involvement in carrying out award activities.)

Cooperative agreements include a condition in the award document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient. OJP, however, may have substantial involvement in matters such as substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

In addition to an award condition that sets out the nature of the anticipated “substantial federal involvement” in the award, cooperative agreements awarded by OJP include an award condition that requires specific reporting in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award.

## **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements<sup>2</sup> as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See [OJP Grant Application Resource Guide](#) for additional information.

## **Information System Security and Privacy Requirements**

Award recipients and subrecipients that serve as BJS data collection agents to collect, receive, handle, maintain, transfer, process, store, or disseminate personally identifiable information (PII) (e.g., names, Social Security numbers, last-known addresses, or FBI, state, or Department of Correction (DOC) ID numbers) under BJS’s authority in conjunction with the funded activities must maintain the appropriate administrative, physical, and technical safeguards to ensure that information systems are adequately secured and protected against unauthorized disclosure, in accordance with applicable federal laws, regulations, and other authorities.

Specifically, BJS award recipients and subrecipients are required to, as applicable—

- follow the [DOJ Cybersecurity and Privacy Rules of Behavior for General Users](#), which pertain to the use, security, and acceptable level of risk for DOJ systems and applications

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<sup>2</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.



- assess and secure information systems in accordance with the [Federal Information System Modernization Act](#) (FISMA) (P.L. No. 107-347), which appears as Title III of the [E-Government Act of 2002](#) (P.L. No. 107-347)
- adhere to National Institute of Standards and Technology ([NIST](#)) guidelines to categorize the sensitivity of all data collected or maintained on behalf of BJS
- secure data in accordance with the Risk Management Framework specified in [NIST SP 800-37 rev. 1](#), once the system has been categorized
- employ adequate controls to ensure data are not comingled with any other data set or product without the express written consent of BJS
- reduce the volume of PII collected, used, or retained to the minimum necessary
- limit access to identifiable data to only those individuals who must have such access
- limit use of identifiable data to only the purposes for which it was approved
- notify BJS, within one hour of discovery, of all security incidents that impact a FISMA-defined information system used to support award activities
- log all computer-readable data extracts from databases holding sensitive information and ensure that each extract including sensitive data has been erased within 90 days or that its use is still required
- ensure all contracts involving the processing and storage of PII comply with DOJ policies on remote access and security incident reporting
- complete data security and confidentiality trainings
- employ formal sanctions for anyone failing to comply with DOJ policy and procedures, in accordance with applicable laws and regulations.

Applicants are advised that OJP may audit the FISMA-defined information systems that are used by award recipients during the performance period, to assess compliance with federal laws and regulations related to data management and security.

To ensure that applicants understand the applicable information system security and privacy requirements, BJS encourages prospective applicants to review the relevant provisions of the BJS Data Protection Guidelines, which summarize the federal statutes, regulations, and other authorities that govern data collected and maintained under BJS's authority. The guidelines are available at [https://www.bjs.gov/content/pub/pdf/BJS\\_Data\\_Protection\\_Guidelines.pdf](https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf).

### **Budget Information**

#### **What will not be funded—**

- proposals primarily to purchase equipment, materials, or supplies. (A budget may include these items if they are necessary to conduct data collection, research, development, demonstration, evaluation, or analysis.)
- proposals that are not responsive to this specific solicitation.

### **Cost Sharing or Matching Requirement**

The application need not propose to provide any amount of 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 Costs (also known as Pre-award Costs)**

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal 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. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs **before** submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact identified in the OJP Invitation Letter for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide Post award Requirements at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

The following three paragraphs in this invited application guidance expressly modify the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these three paragraphs instead of the guidance under the "Limitation on Use of Awards Funds for Employee Compensation; Waiver" heading in the OJP Grant Application Resource Guide.

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent 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<sup>3</sup>. The 2019 salary table for SES employees is available at the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/exec/html/ES.aspx>. 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. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Director of the Bureau of Justice Statistics may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

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<sup>3</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

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

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events. See [OJP Grant Application Resource Guide](#) for information.

### **Costs Associated with Language Assistance (if applicable)**

See the [OJP Grant Application Resource Guide](#) for information on costs associated with language assistance that may be allowable.

## **C. Application and Submission Information**

### **What an Application Should Include**

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on, among other things, what happens to an application that does not contain all the specified elements.

#### **1. Complete the Application for Federal Assistance (Standard Form (SF)-424)**

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

**Intergovernmental Review:** This funding opportunity **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the “Program is not covered by E.O. 12372.”)

#### **2. Project Abstract**

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 (such as 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.

#### **3. Program Narrative**

The program narrative section of the application should not exceed 25 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 25-page limit for the narrative section. The project abstract, table of contents, appendices, and government forms do not count toward the 25-page limit. Pages should be numbered.

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 Program/Project's Performance Measures

Within these sections, the narrative should address—

- purpose, goals, and objectives
- detailed description of research design and methods, including innovative approaches to address all deliverables outlined in the OJP Invitation Letter and original solicitation [<https://www.bjs.gov/content/pub/pdf/ncxslla16sol.pdf>]
- management plan and organization
- plan for coordinating with the various other BJS NCS-X projects currently underway that interact with proposed tasks and deliverables
- detailed timeline of key deliverables.

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified in the OJP Invitation Letter.

Applicants should visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

Performance measures for this program/project are listed in [Appendix A: Performance Measures Table](#).

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

#### **4. Budget Information and Associated Documentation**

See the Budget Preparation and Submission Information section of the [OJP Grant Application Resource Guide](#) for details on the Budget Detail Worksheet, and on budget information and associated documentation, such as information on proposed subawards, proposed procurement contracts under awards, and pre-agreement costs.

**5. Indirect Cost Rate Agreement**

See the Budget Preparation and Submission Information section of the [OJP Grant Application Resource Guide](#) for information.

**6. Tribal Authorizing Resolution (if applicable)**

An application in response to this invitation may require inclusion of information related to a tribal authorizing resolution. See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing resolutions.

**7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this Questionnaire.

**8. Disclosure of Lobbying Activities**

Each applicant must complete and submit this information. See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this disclosure.

**9. Applicant Disclosure of Pending Applications**

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application being submitted to OJP, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of an application. For additional information on the submission requirements for this disclosure, see the [OJP Grant Application Resource Guide](#).

**10. Applicant Disclosure and Justification – DOJ High Risk Grantees<sup>4</sup> (if applicable)**

An applicant that is designated as a DOJ High Risk Grantee is to submit in GMS, as a separate attachment to its application, information that OJP will use, among other pertinent information, to determine whether it will consider or select the application for an award under this solicitation. The file should be named “DOJ High Risk Grantee Applicant Disclosure and Justification.” (See, also, “Review Process,” below, under Section E. Application Review Information, for a brief discussion of how such information may be considered in the application review process.) See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this disclosure.

**11. Research and Evaluation Independence and Integrity**

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. For additional information

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<sup>4</sup> A “DOJ High Risk Grantee” is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

regarding demonstrating research/evaluation independence and integrity, including appropriate safeguards, see the [OJP Grant Application Resource Guide](#).

## **12. Disclosure of Process Related to Executive Compensation**

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (question 9c in the "OJP Financial Management and System of Internal Controls Questionnaire" located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> and mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process Related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied upon by the body that reviews and approves compensation arrangements for covered persons; and (4) the written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the IRS for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

### 13. Additional Attachments

- a. 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 information. Applicants must specify in the Privacy Certificate the specific controls used to safeguard directly identifiable information against unauthorized disclosure. All project staff, including information technology personnel, subcontractors, and/or consultants, with access to identifiable data collected in conjunction with the BJS-funded activities are required to sign a Privacy Certificate to affirm their understanding of and agreement to comply with the terms of access and privacy requirements. Award recipients are responsible for maintaining an updated list of individuals with access to identifiable information and for ensuring that new staff who gain access to such information during the project period sign a Privacy Certificate. A model certificate is located at [www.bjs.gov/content/pub/pdf/bjsmpc.pdf](http://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, is located at [www.bjs.gov/content/hscr.cfm](http://www.bjs.gov/content/hscr.cfm).
- b. Bibliography or references.
- c. Any tools, instruments, tables, charts, or graphs pertaining to the proposed program that are supplemental to such items included in the main body of the narrative.
- d. A detailed proposed program timeline with expected milestones and level of staff effort for each phase of work.
- e. 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).

- f. Letters of cooperation/support or administrative agreements from organizations collaborating in the program, such as universities, prosecutors, professional prosecutor organizations, or other membership groups.
- g. List of other agencies, organizations, or funding source to which this proposal has been submitted (if applicable).

### **How To Apply (GMS)**

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Find information on how to apply in GMS in response to this invitation in the [OJP Grant Application Resource Guide](#).

## **D. Application Review Information**

### **Review Process**

OJP is committed to ensuring a fair and open process for making awards. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the OJP Invitation Letter and this Guidance for Invited Applications. See the [OJP Grant Application Resource Guide](#) for information on the application review process.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

**Important note on FAPIIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

Final award decisions for research and statistics programs will be made by the Director of the Bureau of Justice Statistics.<sup>5</sup>

## **E. Federal Award Administration Information**

### **Federal Award Notices**

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

### **Administrative, National Policy, and Other Legal Requirements**

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application. See the

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<sup>5</sup> For purposes of this Guidance for Invited Applications, this “[final] award decisions” provision expressly modifies the “final award decisions” provision in the “Application Review Information” section of the OJP Grant Application Resource Guide.



[OJP Grant Application Resource Guide](#) for additional information on administrative, national policy, and other legal requirements.

### **Information Technology (IT) Security Clauses**

An application in response to this invitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables identified in the OJP Invitation Letter, an award recipient will be required to submit certain reports and data.

Required reports. Recipients typically 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 or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

## **F. Federal Awarding Agency Contact(s)**

For OJP contact(s), see the OJP Invitation Letter.

For contact information for GMS, see page 2 of this Guidance for Invited Applications.

## **G. Other Information**

### **Freedom of Information and Privacy Act (5 U.S.C. § 552 and 5 U.S.C. § 552a)**

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. See the [OJP Grant Application Resource Guide](#) for information on DOJ and OJP processes with regard to application information requested pursuant to FOIA.

### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this Guidance for Invited Applications, the application submission process, and/or the application review process. See the [OJP Grant Application Resource Guide](#) for information on providing solicitation feedback to OJP.

### Appendix A: Performance Measures Table

Objective	Performance Measure(s)	Data Recipient Provides
Assess the needs associated with transitioning to incident-based crime reporting to the state UCR Program or directly to the FBI.	Number of meetings or conference calls held.	Number of meetings or conference calls held with the NCS-X Implementation Team. Number of meetings or conference calls held with applicable contract agencies or companies to clarify system needs at the local agency level.
	Develop a plan as a result of an assessment.	Provide a plan as a result of assessing the technical capacity and system needs to transition to IBR, to the state UCR Program, or directly to the FBI.
	Deliverables completed on time.	Provide documentation of meetings with NCS-X Implementation Team members, including meeting minutes and next steps identified during those meetings.  Provide memos summarizing contacts and meetings with applicable contract agencies or companies and any next steps identified from those discussions.
Coordinate with NCS-X Implementation Team to receive technical assistance to support NIBRS reporting activities.	Number of requests for technical assistance made to Implementation Team.  Number of hours of technical assistance received.  Number of requests for technical assistance completed.	Number of requests for technical assistance made to the NCS-X Implementation Team, by type of technical assistance.  Number of technical assistance hours received from the NCS-X Implementation Team.  Number of requests for technical assistance completed by the NCS-X Implementation Team, by type of technical assistance.
Establish a NIBRS-certified IBR program in the local agency (if applicable).	Deliverables completed on time.  Deliverables that meet expectations.	Provide letter of support from the designated authority of the state UCR Program in support of local agency program and reporting activities.  Submit a complete, feasible, and high-quality plan for submitting local agency incident-based crime data that is certified by the FBI to report data to NIBRS.  Provide a complete plan for ceasing direct submission to the FBI and beginning submission of incident-based data in the state-specific IBR format (if applicable) to the state UCR Program after the state has established a NIBRS-certified program.

## Appendix B: Application Checklist

FY 2019 Funding Recommendation for Invited Application from the City of San Antonio Police Department (2016-FU-CX-K057) for the National Crime Statistics Exchange (NCS-X) Implementation Assistance Program Continued Support for Program Participants

This application checklist has been created as an aid in developing an application.

### What an Applicant Should Do:

- \_\_\_\_\_ Register with OJP Grants Management System (GMS)\* (see page 2)
- \_\_\_\_\_ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 2)
- \_\_\_\_\_ If experiencing technical difficulties in GMS, contact BJS (see page 2)

\*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

### Overview of Post-Award Legal Requirements:

\_\_\_\_\_ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/Explore/LegalOverview/index.htm)" in the OJP Funding Resource Center at <https://ojp.gov/funding/Explore/LegalOverview/index.htm>.

### Scope Requirement:

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

**Eligibility Requirement:** See title page.

### What an Application Should Include:

- Application for Federal Assistance (SF-424) (see page 8)
- Project Abstract (see page 11)
- Program Narrative (see page 11)
- Budget Detail Worksheet (including Narrative) (see page 12)
- Indirect Cost Rate Agreement (if applicable) (see page 13)
- Tribal Authorizing Resolution (if applicable) (see page 13)
- Financial Management and System of Internal Controls Questionnaire (see page 13)
- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see page 13)

- Applicant Disclosure of Pending Applications (see page 13)
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)  
(see page 13)
- Research and Evaluation Independence and Integrity (see page 13)
- Disclosure of Process related to Executive Compensation (see page 14)
- Request and Justification for Employee Compensation; Waiver (if applicable)  
(see page 14)
- Additional Attachments (see page 15)