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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is pleased to announce that it is seeking applicants to conduct the 2011 National Survey of Indigent Defense Systems. As the principal federal statistical agency in the Department, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This data collection program furthers the Department's mission by working in partnership with the justice community to identify the most pressing challenges confronting the justice system and to provide information in support of innovative strategies and approaches for dealing with these challenges.

## **2011 National Survey of Indigent Defense Systems Solicitation**

### **Eligibility**

Applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated organization and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortia. However, consistent with OJP fiscal requirements, for-profit organizations are not allowed to make a profit as a result of this award or to charge a management fee for the performance of this award.

### **Deadline**

Registration with [Grants.gov](#) is required prior to application submission. (See "How to Apply," page 9.) All applications are due by 11:59 p.m. Eastern time on Friday, May 27, 2011. (See "Deadlines: Registration and Application," page 3.)

### **Contact Information**

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or via e-mail at [support@grants.gov](mailto:support@grants.gov).

**Note:** The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact Donald Farole, BJS Statistician, at 202-307-0765 or by e-mail at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include "nsids2011" in the subject line.

Grants.gov number assigned to announcement: **2011-BJS-2994**

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# 2011 National Survey of Indigent Defense Systems (CFDA # 16.734)

## Overview

The Bureau of Justice Statistics (BJS) is seeking proposals to design, develop, and conduct the 2011 National Survey of Indigent Defense Systems (NSIDS). NSIDS will collect statistics about the provision of indigent defense services in states and local jurisdictions in the United States. BJS anticipates making one award of up to \$1.2 million for a 36-month period under this solicitation.

The funding of this project is subject to the availability of funds. BJS is authorized to issue this solicitation under the Omnibus Crime Control and Safe Streets Act of 1968, Section 302.

## Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is 11:59 p.m. Eastern time on, Friday, May 27, 2011. Please see the "How to Apply" section, on page 9 for more details.

## Eligibility

Please refer to the title page for eligibility under this program.

## Project-Specific Information

In 1963, the United States Supreme Court ruled in *Gideon v. Wainwright* that the Sixth Amendment's right to assistance of counsel for criminal defendants is made obligatory in state courts by the Due Process Clause of the Fourteenth Amendment. 372 U.S. 335 (1963) Since the landmark *Gideon* ruling, states, counties, and local jurisdictions have established varying means of providing public representation for defendants unable to afford a private attorney. Indigent defense systems typically provide representation through some combination of three methods: public defenders, assigned counsel, and/or contract attorneys.

Prior BJS data collections on the provision of indigent defense services include the 2007 Census of Public Defender Offices (CPDO), the first comprehensive nationwide examination of public defender offices, and the 1999 National Survey of Indigent Defense Systems (NSIDS), which examined all three methods of indigent defense service delivery in select states and counties. The CPDO reports are available on the BJS website at [www.bjs.gov/index.cfm?ty=dcdetail&iid=401](http://www.bjs.gov/index.cfm?ty=dcdetail&iid=401), and the 1999 NSIDS reports are available at [www.bjs.gov/index.cfm?ty=pbdetail&iid=996](http://www.bjs.gov/index.cfm?ty=pbdetail&iid=996) and [www.bjs.gov/index.cfm?ty=pbdetail&iid=1210](http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1210). Applicants are strongly encouraged to review these reports.

The purpose of the 2011 NSIDS is to produce nationally representative statistics on the provision of indigent defense services. The diverse ways of delivering indigent defense services and the decentralized nature of such service delivery makes collecting nationwide information difficult. Some states provide oversight and funding for the delivery of indigent defense services throughout the state, while others allocate this responsibility to counties and local jurisdictions within the state. In other states, the responsibility for providing indigent defense services may be shared by state and local governments, or may vary within the state. The recipient of the 2011 NSIDS data collection will need to identify and account for these jurisdictional variations in developing a nationally representative sampling approach to describe the provision of indigent defense services in the United States.

The successful applicant will conduct the data collection for indigent defense services provided in calendar year 2011. BJS anticipates making one award of up to \$1.2 million for the 36-month period under this solicitation. The funding of this project is subject to the availability of funds. BJS is authorized to issue this solicitation under the Omnibus Crime Control and Safe Streets Act of 1968, Section 302.

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

The goals of this project are to—

1. Develop a timeline to complete the 2011 NSIDS data collection no later than 36 months after the start date.
2. Develop and implement a nationally representative sampling strategy that is flexible enough to incorporate statewide and county-level data, as appropriate given the varying mechanisms for administering and funding indigent defense services across and within states and the District of Columbia.
3. Develop a questionnaire(s) to measure the type of indigent defense provided in the sampled jurisdiction (assigned counsel, public defender office, contract attorney, or some combination of these), as well as detailed information about the operations, staffing, caseload, and policies of indigent defense systems.
4. Develop and implement a plan to minimize data collection costs and achieve a response rate of 90%.
5. Maintain regular reporting to BJS and regularly meet in person or via teleconference with the BJS project manager.
6. Process and verify the 2011 NSIDS data according to BJS standards.
7. Deliver the 2011 NSIDS data files for BJS and public use.
8. Develop tables to describe key measures of the 2011 NSIDS.
9. Develop and recommend enhancements for subsequent data collections to support national estimates of the provision of indigent defense in the U.S.

More specifically, the recipient of funds will be required to perform the following tasks:

1. Develop a detailed timeline to complete all tasks associated with the 2011 NSIDS data collection no later than 36 months after the start date. After the BJS project manager has agreed to the timetable, all work must be completed as scheduled. The timeline should be reasonable given the scope of work proposed, include communication with BJS and deliverables, and allow for the OMB review and approval process. The awardee will develop and provide BJS with specific materials related to the methodologies and burden estimates

associated with data collection efforts to support the OMB application. BJS will submit the OMB package for approval.

2. Develop and implement a nationally representative sampling strategy that is flexible enough to incorporate statewide and county-level data, as appropriate given the varying mechanisms for administering and funding indigent defense services across and within states and the District of Columbia.

Applicants should propose a methodology to produce national-level estimates on the provision of indigent defense in the U.S. The sampling approach should be flexible enough to incorporate data at the state level with data collected at the county level. State-level data may be required in states that have state-administered indigent defense systems and cannot disaggregate that information to the county level. County-level data may be collected in states that do not have statewide systems or in local jurisdictions that may be responsible for providing indigent defense in specific cases or situations (e.g., when there is a conflict with the state-administered system).

For example, applicants may propose a nationally-representative sample of local jurisdictions (counties), and then tailor the data collection approach depending on whether the sampled county is part of a state-administered indigent defense system. In sampled counties that are part of a state-administered indigent defense system, the recipient should collect statewide data on the provision of indigent defense delivery services, yet also ensure that all of the critical measures identified in the data collection instrument are collected at the county-level if those measures are not part of the statewide system.

3. Develop a questionnaire(s) to measure concepts related to the delivery of indigent defense services. Data elements to be collected should include, but are not limited to—
  - How indigent defense counsel is assigned (e.g., at what point during the court proceeding, for which types of cases, etc.);
  - Who is responsible for assigning indigent defense counsel;
  - Program/service expenditures, staffing, caseloads;
  - Salaries/compensation for attorneys providing indigent defense services;
  - Policies of indigent defense programs with respect to attorney assignment, continuing legal education, and other matters; and
  - Performance measures related to the delivery of indigent defense.

Applicants should be aware of the need for a flexible approach to the development of the questionnaire(s), as it will be necessary to rely on multiple and different sources of information across jurisdictions.

4. Develop and implement a plan to minimize data collection costs and achieve a response rate of 90%.

For each sampled jurisdiction, the awardee will compile a respondent list, which should consist of programs, offices, or individuals that can provide the needed data elements as identified in Task 3 above. Applicants should be aware that in many if not most jurisdictions, it will be necessary to obtain information from multiple entities and that the entities from which information must be obtained will vary across jurisdictions. For budgeting purposes, applicants should assume approximately 1,200 respondents.

Applicants should propose a data collection strategy that emphasizes electronic data transfers but also allows for alternative modes of data delivery. The electronic data transfer system, a web-based data collection system, and any other systems proposed by the applicant should provide respondents with secure options for submitting data.

Applicants should discuss the various techniques to be used to assure a response rate of 90% or higher for all required measures. The awardee will provide extensive follow-up to respondents that require assistance, clarification, or encouragement to submit the requested administrative data. This may involve considerable relationship-building and outreach throughout the project, multiple follow-up telephone calls, e-mail correspondences, and active participation in relevant conferences and meetings.

5. Maintain regular reporting to BJS and regularly meet in-person or via teleconference with the BJS project manager. Applicants should budget for one in-person kickoff meeting in Washington, D.C. to be held within one month after award notification. Required financial and progress reports shall be submitted through the Grants Management System in accordance with the OJP Financial Guide.
6. Process and verify the 2011 NSIDS data according to BJS standards, including the use of consistent BJS-approved editing specifications, range checks, coding schemes, and systems for identifying valid responses and data requiring follow-up. Data received from respondents should be verified for completeness and accuracy. The recipient will develop and implement a comprehensive strategy to account for non-response and missing items as appropriate. If applicable, the recipient will also develop and implement a comprehensive strategy to weight the data in states with locally- or regionally-administered indigent defense systems.
7. Deliver the 2011 NSIDS data files for BJS and public use. Electronic versions of the data and documentation should be sent to BJS and should be compatible with SPSS format. Data documentation should include, but is not limited to, a comprehensive codebook detailing variable positions, data coding, variable and value labels, any recoding implemented during the data cleaning process, methods used for dealing with missing data, and copies of all program code used to generate data or published statistics. All data and documentation from this survey may be posted on the BJS website, and the data will be archived at the National Archive of Criminal Justice Data, operated by the Inter-University Consortium for Political and Social Research (ICPSR).
8. Develop tables to describe key measures of the 2011 NSIDS, including (a) table(s) to describe the organization of indigent delivery systems in the U.S., by state, and (b) tables describing critical components of the delivery of indigent defense services.

The awardee will first develop a table to describe how each state provides for indigent defense services. This table should describe—

- Whether the state or local units of government have primary authority (and funding responsibility) for provision of indigent defense.
- The state's role in administering, advising, or coordinating the provision of indigent defense (e.g., is there an advisory or oversight commission? What is the authority of that commission?).
- The types of indigent defense delivery systems operating within the states and the circumstances associated with each (e.g., counties either opt to participate in the

state-funded and administered public defender system or provide indigent defense primarily through assigned counsel; assigned counsel programs only operate where there is a conflict of interest with the public defender office; etc.).

- Offices and position titles within those offices responsible for the administration of indigent defense at the state-level (e.g., Chief Public Defender, Administrator of the Assigned Counsel Program; no state-level position responsible for administration of indigent defense).

The awardee will also develop approximately ten (10) tables describing key measures collected through the 2011 NSIDS, disaggregated by key organizational characteristics of the indigent defense delivery system (e.g., state-based or county-based). These tables should describe, at a minimum, expenditures, staffing, number and type of cases received, and policies regarding oversight and administration.

9. Develop and recommend enhancements for subsequent data collections to support national estimates of the provision of indigent defense in the U.S. Applicants should propose tasks to be conducted during the planning and data collection phases of the 2011 NSIDS project to support future data collections. The awardee will collect and analyze information about key measures related to the provision of indigent defense, the most reliable sources for those measures, a timeline for subsequent data collections that provides continuous and timely information, and cost-effective means for future data collections and reporting. The awardee will submit a final report describing recommendations for future iterations of the National Survey of Indigent Defense Systems, including supplemental data collections, as appropriate.

### **Amount and Length of Awards**

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Funding under this competitive grant announcement is contingent on the availability and amount of FY 2011 funding available. BJS anticipates making one award of up to \$1,200,000 for a 36-month period under this solicitation.

### **Budget 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, federal funds may not be used to pay total cash compensation (salary plus 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. (The 2011 salary table for SES employees is available at [www.opm.gov/oca/11tables/indexSES.asp](http://www.opm.gov/oca/11tables/indexSES.asp).) Note: A recipient may compensate an employee at a higher 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.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Director of the Bureau Justice Statistics. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its 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 its budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, 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 that is to be done.

### Match Requirement

This solicitation does not require a match.

### Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants that receive funding under this solicitation must provide data that measure the results of their work. Any award recipient will be required, 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 Measures	Data Grantee Provides
<p>To conduct a survey of the provision of indigent defense in all states with primarily state-funded and administered indigent defense systems and the District of Columbia, and in a sample of jurisdictions in states in which indigent defense is not primarily funded and administered at the state level.</p>	<p>Percent of agencies that respond to survey (target 90% response rate).</p> <p>Percent of records in the database that are complete and accurate.</p>	<p>Number of agencies.</p> <p>Number of responses. (Target: 90% or better. A response rate lower than the 90% threshold is unacceptable).</p> <p>Number of records in the database.</p> <p>Number of records in the database that are complete and accurate. (Minimum number of missing or inconsistent data in data file Target: 1% on function items, overall personnel items, and overall workload items, a minimum 5% on detailed personnel and workload items, and a minimum 10% or less on other items).</p>



	Percent of Data collection completed on time.	Post validation follow-up rate (Target: 1% or less of respondents requires post-validation follow-up and error correction).  Deliver final data to BJS on schedule.  Time from initiation of the collection to close of the reference period (Target: 36 months).
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Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Please refer to the section “What an Application Should Include” (page 11) for additional information.

## Notice of New Post-Award Reporting Requirements

Applicants should anticipate that all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at [www.fsr.gov](http://www.fsr.gov).

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

## How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at [www.Grants.gov](http://www.Grants.gov). If the applicant experiences technical difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **800-518-4726**, 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 up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a DUNS number.** A Data Universal Numbering System (DUNS) number is required for [Grants.gov](http://www.Grants.gov) registration. 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 renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of 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. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at [www.dnb.com](http://www.dnb.com). Individuals are exempt from this requirement.

2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.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, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
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. Please note that there can be more than one AOR for the organization.
5. **Search for the funding opportunity on Grants.gov.** Please use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.734, titled "Special Data Collections and Statistical Studies," and the funding opportunity number is 2011-BJS-2994.
6. **Submit an 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 an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: Grants.gov will forward the application to OJP's 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."

## Experiencing Unforeseen Grants.gov Technical Issues

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must contact BJS staff **within 24 hours after the deadline** and request approval to submit its application. At that time, BJS staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-mail a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) received. After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page, at [www.ojp.gov/funding/solicitations.htm](http://www.ojp.gov/funding/solicitations.htm).

## What an Application Should Include

This section describes what an application should include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that some application elements are so critical that applications unresponsive to the scope of the solicitation or that do not include a program narrative, and budget detail worksheet including a budget narrative, will neither proceed to peer review nor receive further consideration.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that resumes be included in a single file.

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

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and 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, please select "For-Profit Organization" or "Small Business" (as applicable).

## 2. Program Narrative

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

Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to BJS as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should applicant receive funding.

## 3. Budget Detail Worksheet and Budget Narrative

### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, please see the OJP Financial Guide at [www.ojp.gov/financialguide/index.htm](http://www.ojp.gov/financialguide/index.htm).

### b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated 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.

## 4. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's 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. If DOJ is the cognizant federal agency, obtain information needed to

submit an indirect cost rate proposal at [www.ojp.gov/financialguide/part3/part3chap17.htm](http://www.ojp.gov/financialguide/part3/part3chap17.htm).

## 5. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution from all tribes that will be included as a part of the services/assistance provided 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 authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions.

## 6. Additional Attachments (if applicable)

**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](http://www.bjs.gov/content/pub/pdf/bjsmpc.pdf)

**Human Subjects Protection Certificate of Compliance.** BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate is located at [www.bjs.gov/content/hscr.cfm](http://www.bjs.gov/content/hscr.cfm)

## 7. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at [www.ojp.gov/funding/forms.htm](http://www.ojp.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Please note in particular the following forms.

- a. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#) (required to be submitted in GMS prior to the receipt of any award funds)
- b. [Disclosure of Lobbying Activities](#) (required for any applicant that expends any funds for lobbying activities; this form must be downloaded, completed, and then uploaded)
- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and then uploaded)

- d. **Standard Assurances** (required to be submitted in GMS prior to the receipt of any award funds)

## **Selection Criteria**

The proposal narrative should describe the activities in the Statement of Work and address the evaluation criteria. The narrative should provide a detailed timeline and budget for project activities. The narrative should demonstrate the applicant's knowledge of survey methodology and capabilities to handle a national collection of criminal justice data.

### **1. Statement of the Problem (15%)**

The content of the proposal should completely address the tasks outlined in the Statement of Work and scheduled time line. Project goals and target dates should be clearly stated.

### **2. Project Design and Implementation (40%)**

The applicant should demonstrate knowledge of applied survey research, including survey construction, interview techniques, data collection, the use of multi-mode data collection techniques with an emphasis on electronic methods, data coding, entry and verification, and the production of public-use data file readable by a variety of statistical software such as SPSS and SAS.

### **3. Capabilities and Competencies (30%)**

The applicant should demonstrate the capacity and experience of the organization and project staff to (1) understand and utilize currently accepted survey research methods; (2) collect administrative data from a large number of justice system or similar entities; (3) implement multiple modes of data collection; (4) clean and verify data, reconcile data to known totals, and provide files that represent respondent data with maximum accuracy; (5) provide an adequate computing environment that includes data security, an electronic data collection, and the hardware and software for producing public-use data file; (6) provide up-to-date tracking of the data collection and regular reporting of progress; and (7) identify and communicate potential problems needing to be addressed, as well as problem-solving techniques.

### **4. Project Budget (10%)**

The reasonableness of the project budget should be demonstrated, including the degree to which the budget demonstrates fiscal, management, staff, and organizational capacities to provide sound management for the project, and the degree to which the budget demonstrates that services and products provided by the grantee are of high quality and reasonable costs. Demonstrated fiscal management on past projects of a similar scale should be noted. Methods of conserving costs while maximizing use of existing resources should be presented. Applicant should include detailed breakout of staff resources and other costs, by project task.

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

The degree to which the applicant demonstrates how success in meeting the project time lines and the data collection goals (e.g., response rates and data quality), as



detailed in the performance measures, will be systematically documented and monitored.

## Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Statistics 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. BJS may use either internal peer reviewers, external peer reviewers, or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. 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, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with the Bureau of Justice Statistics, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether 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 who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

## Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [www.ojp.gov/funding/other\\_requirements.htm](http://www.ojp.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act

- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration



## Application Checklist

# 2011 National Survey of Indigent Defense Systems Solicitation

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

**Eligibility Requirement:** Applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated organization and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortia. However, consistent with OJP fiscal requirements, for-profit organizations are not allowed to make a profit as a result of this award or to charge a management fee for the performance of this award.

\_\_\_\_\_ The federal amount requested is within the allowable limit(s) of 1.2 million.

### What an Application Should Include:

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 11)
- \_\_\_\_\_ Program Narrative (see page 12)
- \_\_\_\_\_ Budget Detail Worksheet (see page 12)
- \_\_\_\_\_ Budget Narrative (see page 12)
- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 12)
- \_\_\_\_\_ Tribal Authorizing Resolution, (if applicable) (see page 13)
- \_\_\_\_\_ Additional Attachments (see page 13)
  
- \_\_\_\_\_ Other Standard Forms as applicable (see page 13), including:
  - \_\_\_\_\_ Disclosure of Lobbying Activities (if applicable)
  - \_\_\_\_\_ Accounting System and Financial Capability Questionnaire (if applicable)