

project. For example, the BVP program requires a 50 percent match to an award of program funds; however, federal funds may not be used for the match. The leveraging of federal funding is encouraged, as long as that funding isn't being used to supplant state/local funds or reimburse the same costs. In instances where leveraging occurs, all federal grant funds must be tracked and reported on separately and may not be used to fund the same line items. Accordingly, the accounting systems of the recipient and all sub-recipients must ensure that funds from this JAG award are not commingled with funds from any other source, state, local, or federal.

Who is eligible to use administrative funds?

A JAG recipient may use up to 10 percent of the award, plus any interest accrued, for costs associated with administering JAG funds. For local JAG recipients in disparate situations, sub-recipients can use administrative funds as well, so long as it is agreed upon in a Memorandum of Understanding (MOU) that is attached with the application or to a Grant Adjustment Notice (GAN) if the decision to share administrative funds is decided upon post-award. The total administrative funds used must not exceed 10 percent of the total award, and administrative funds may also include indirect costs.

Can JAG funds be used to purchase firearms and drugs during undercover operations?

JAG funds may be used as confidential funds for the purchase of services (buy money), evidence (narcotics, firearms, stolen property, etc.), and specific information (informant money) for undercover purposes in accordance with 42 U.S.C 3751(d). If the activity is approved by BJA, the terms and conditions for the use of confidential funds set forth in the [OJP Financial Guide](#) (chapter 8) must be followed. In addition, prior to the expenditure of any confidential funds, the recipient and any subrecipients must agree to sign a certification indicating that they have read, understood and agree to abide by all of the conditions pertaining to confidential fund expenditures as set forth in the OJP Financial Guide

If my agency decides to use JAG funding to enter into a sole source contract greater than \$100,000, what is the process?

If your agency wishes to enter into a sole source contract greater than \$100,000, a "Sole Source Approval" Grant Adjustment Notice (GAN) must be submitted post-award with an attached sole source justification. The sole source justification must include the following sections: 1) Brief description of program and the product or service being contracted; 2) Explanation of why it is necessary to contract non-competitively, including the following contractor qualities: a. Organizational expertise b. Management c. Knowledge of the program d. Responsiveness e. Expertise of personnel; 3) Statement of when contractual coverage is required and, if dates are not met, what impact it will have on the program (for example, how long it would take another contractor to reach the same level of competence). Make sure to include the financial impact in dollars; 4) Outline of the unique qualities of the contractor 5) Other points to "sell the case"; 6) Declaration that this action is in the "best interest" of the grantor agency and/or the federal government; and 7) Conflict of Interest Review. For step by step instructions regarding how to submit a GAN please refer to the [GMS Computer-Based Training web page](#). For more information on sole source justifications, please review the [OJP Financial Guide](#).



Disparate Information:

My city is listed along with my county under the column "Joint Application (Disparate) Award Amount." What does this mean?

If your jurisdiction is listed with another city or county government, you are in a funding disparity. The

JAG statute requires that if a city qualifies for one-and one-half times (150 percent) more funding or if multiple cities receive four times (400 percent) more funding than a qualifying county with concurrent jurisdiction, there is a funding disparity. In this situation, the units of local government must apply for an award with a single, joint application. For more information about the disparate allocation process, see the [Bureau of Justice Statistics Technical Report](#).

How do we determine which single unit of local government will be the fiscal agent responsible for applying for the funds?

This is a decision to be made by the units of local government. Consider which local government is most capable of adhering to the financial and programmatic requirements according to federal guidelines governing expenditure, monitoring, and reporting for JAG funding.

Who is responsible for EEOP requirements in a disparate funding situation? Is it only the fiscal agent or are the other funded partners also responsible?

Pursuant to 28 C.F.R. Section 42.302, all recipients of federal funding must be in compliance with federal EEOP requirements. In addition, the grant recipient must acknowledge that all programs funded through subawards, whether at the state or local level, conform to the grant program requirements.

Our jurisdiction will be submitting an application as the fiscal agent for our group of disparate jurisdictions. Do the Governing Body and Public Notice requirements apply to each disparate jurisdiction, or just the fiscal agent?

The governing body and public comment requirements apply to the applicant. Each unit of local government must abide by state/local policies and procedures, but the requirements under JAG apply to the applicant.

Are the city and the county required to work on the same project or purpose area?

No. All units of local government within the disparate jurisdiction may fund individual projects. For example, the city may choose to purchase equipment, and the county may wish to fund a drug task force. Alternatively, funds may also be combined to fund one joint project.

Are disparate jurisdictions required to submit a Memorandum of Understanding (MOU) even if they agree to use the entire award amount for the same purpose?

Yes. A JAG MOU, signed by each jurisdiction's authorized representative, is required from all disparate applicants, regardless of the manner in which funds will be used or distributed. As an example, the county would like to administer a drug court that would benefit all cities listed as disparate. The cities agree with this strategy, and the total allocation is awarded to the county. In this scenario, each city must be included in the JAG MOU, and indicate agreement that the county will receive the total allocation. The JAG MOU must certify that the city or county that does not receive funds: 1) recognizes the funds in question will be provided for a single project; 2) believes the proposed project will provide a direct local benefit to their city or county; and 3) agrees providing funding for a single project is in the best interest of their city/county.

How do I provide the JAG MOU to BJA?

When completing your application in GMS, upload the signed JAG MOU as an attachment to that application. If your JAG grant has already been awarded, fax or email the signed JAG MOU to your [State](#)

Policy Advisor. Funds from your JAG award will be withheld until the JAG MOU is received and approved by BJA.

How do we determine how to split the award in a disparate situation?

The units of local government within the disparate jurisdiction must agree upon an allocation process. BJA is not involved in this decision process.

What happens if the disparate jurisdictions cannot reach an agreement on how JAG funds will be distributed?

JAG funds are withheld until a JAG MOU signed by the authorized representative, or the designee, of each unit of local government is submitted.

How do I find out what my jurisdiction's potential allocation is within the disparate allocation process?

Each disparate jurisdiction's eligible amount (based on the formula) is available at www.bja.gov/programs/jag/12jagallocations.html.

Reporting and Other Requirements:

What are the specific reporting requirements once a JAG grant is awarded?

All JAG grantees must submit quarterly financial status reports and an annual programmatic report through the OJP Grants Management System (GMS). In addition, for awards made in FY 2009 onward, a quarterly performance measurement tool (PMT) report must be completed. The PMT is due 30-days after the end of each quarter. On an annual basis, the data submitted in the PMT must be uploaded as an attachment to the programmatic report in GMS.

For additional information regarding JAG Program reporting requirements, please refer to the [JAG Program solicitations](#) or the [JAG Program Reports page](#).

What is the process for updating contact information related to my grant award?

Award Recipients should regularly verify Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in the Grants Management System (GMS). If information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted in GMS to document the changes. Step by step instructions for submitting GANs is available at [GMS Computer-Based Training web page](#). If the FPOC has changed, step by step instructions on updating this can be found at www.ojp.usdoj.gov/training/pdfs/gms_userguide.pdf.

In addition, all awards made during FY 10 and beyond will have the following special condition attached: "Award recipients must verify Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes."

Does BJA have additional information on the Task Force Training Special Condition?

When a task force is supported in whole or in part by BJA funding any task force member who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank