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**Byrne Memorial Justice Assistance Grant (JAG) Program
FY 2014 Request for Proposals
Frequently Asked Questions (FAQ) - #3**

***Questions submitted October 10-27, 2014
(Including questions submitted at the Bidders' Conferences)***

Board Resolution

- 1. The sample Board Resolution in Appendix F references both the "R.E.D. Grant Project" and a "Formula Grants Program." Is this an error? Should applicants change the language to read "JAG Program" instead?***

A: Yes, this is an error in the language. In the second paragraph, applicants should replace "Enhanced R.E.D. Grant Project" with "Byrne Memorial Justice Assistance Grant (JAG) Program" and replace "federal Formula Grant Funds" with "federal grant funds" to read:

WHEREAS the *(insert name of applicant county)* desires to participate in the Byrne JAG Project supported by federal grant funds....

In the fifth paragraph, applicants should replace "federal Formula Grants Program" with "federal JAG Program" to read:

IT BE FURTHER RESOLVED that the county agrees to abide by the statutes and regulations governing the federal JAG Program....

A revised Sample Board Resolution is available here:

http://www.bscc.ca.gov/downloads/JAG%20Appendix%20F_Updated%2010-23-14.pdf

Evaluation Efforts

- 2. We have a question concerning how detailed of an evaluation plan we have to turn in with the proposal. The RFP is confusing because it says on page 15 and 18 that the "local evaluation plan" is due June 2015 but then in Section VI it asks for the plan. Which is it?***

A: A comprehensive, detailed and complete Local Evaluation Plan is not due until June 30, 2015. What should be included in the proposal narrative is a draft summary, outline or abstract of what the plan will look like.

- 3. Will BSCC require a community survey as a part of the outcome evaluation process?***

A: No, the manner in which the county chooses to develop and execute an outcome evaluation is up to the county's discretion.

4. It is difficult to quantify prevention. For purposes of an outcome evaluation, how would a county collect or measure data related to prevention?

A: There is no one answer to this question. Counties are encouraged to be creative in the ways that they measure effectiveness or success within their chosen strategies.

5. Regarding the 5-10 percent of grant funds required for data collection and evaluation purposes, can those funds be split? For example, we have an analyst internally who will do some of the work, but we will likely need to contract with an outside provider for other parts of the work.

A: Yes, as long as the total funds dedicated to data collection and evaluation efforts total 5-10 percent of total grant funds requested, they can be divided between line items. Be sure to clearly indicate such on the budget pages.

Budget Issues

6. Under the “Salaries & Benefits” category in the budget, do applicants list salaries and benefits for employees of ONLY the applicant agency, or for all county employees who may be on the grant, including those from a different department/agency?

A: Only salaries/benefits for applicant agency employees are listed under the “Salaries/Benefits” category. Applicants should list the salaries and benefits of county employees who do not work for the applicant agency in the Professional Services line item. Page 29 of the RFP reads as follows: **“PROFESSIONAL SERVICES:** (e.g., contracts with expert consultants or other governmental entities).”

7. Do salaries and benefits for community-based organizations go under the “Salaries and Benefits” category on the budget?

A: No, all expenses incurred through a contract with a community-based organization must be listed in the “CBO Contracts” category.

8. Am I correct in understanding that no grant funds may be used for administrative costs related to management of the grant (i.e., administrative overhead)? Why are indirect costs prohibited?

A: Grant funds may be used for administrative costs related to the management of the grant, but those cost must be calculated and incorporated into the allowable budget categories where they fall, e.g., salaries and benefits, operating expenses, etc. Applicants must show line-item detail for these items. In other words, there cannot be a line item simply for “administrative overhead” that represents a straight-off-the-top percentage. Indirect costs are prohibited by the Bureau of Justice Assistance, the federal administering agency for the JAG Program.

9. The prohibited use of funds in the area of REAL ESTATE... does that include rent?

A: No, the JAG Program prohibits only the purchase of real estate.

10. Does the county have to be the fiduciary agent on the grant, or can it designate that to the city?

A: The county must serve as the fiduciary agent on the grant.

11. The first year of the grant is only 10 months. How can the applicant apply for the same amount for each of the three years, even though years two and three are 12 months?

A: Applicants are required to request the same amount for each of the three years. Because the first year is only 10 months, BSCC will allow for some budget adjustments at the start of the second and third years. The applicant should account for any start-up costs and evaluation planning costs during those first 10 months. It is important that applicants request only the amount of funds they can reasonably spend each year.

12. Will we be required to maintain functional timesheets for staff being paid by the grant?

A: Yes, counties are required to maintain functional timesheets for all staff being paid by the grant.

Formatting

13. Should we leave headers in the narrative such as: "Provide documentation of the organization's readiness to start the projects beginning March 1, 2015" and then provide information below or just address the required topic and leave out the header?

Also, in reference to the header above, what documentation would be suitable to provide? The program is currently staffed and running.

A: There is no requirement to list the headers in your narrative (whether or not to include them is at the applicant's discretion), though at the Bidders' Conferences last week BSCC staff did suggest that applicants number their responses according to the rating factors beginning on page 24.

Though the word "documentation" seems to imply attachments or additional documents, in the context of this RFP, BSCC is looking for the applicants to address readiness within the narrative only. No additional attachments are allowed.

14. Are there page limits for the proposal?

A: Yes, page limits are listed on page 20 of the RFP for the Proposal Narrative and on page 27 for the Proposal Budget. Required attachments do not count toward the page limits. Required attachments are listed on the Proposal Checklist on page 21.

15. If we include tables or charts within the Proposal Narrative, do they have to be in 12-point Arial font?

A: No, tables and charts inserted into the Proposal Narrative do not have to be in 12-point Arial font. They must, however, fall within the page limit of 20 pages.

Letters of Agreement/Operational Agreements

16. The sample "letter of agreement" in the RFP refers to "City of" and "City Official". Are these actually supposed to read "County of" and "County Official"? Also I am supposing that the "recipient's name" is the county official (administrator) and not the head of the applicant agency? Please advise.

A: This letter of agreement in the RFP is a boilerplate letter used on another grant and it looks like we neglected to make the changes you noted. Yes, the letter should read: "County of" and "County Official." This is a sample only. Whether to use the county official (administrator) or the head of the applicant agency as the addressee on letters of agreement is left to the discretion of the county.

17. We understand that Operational Agreements may be submitted unsigned, in draft form, since many counties will have to engage in a competitive process to select sub-contractors, but what about Letters of Agreement? Do these have to be signed? In our county, even Letters of Support or Letters of Agreement must have Board approval.

A: If an applicant county's administrative policies prohibit it from signing even Letters of Support or Letters of Agreement without Board approval, the applicant should still submit DRAFT forms of these documents that outline the "intended" agreement as well as an explanation (within the narrative) for why there are no signatures. The raters will expect Letters of Agreement to be signed unless there is an explanation provided. Successful applicants will be required to submit signed letters prior to finalization of the grant award agreement.

18. What components should be included in the scope of work for the Operational Agreements?

A: At a minimum, operational agreements should include a description of the services that will be provided, a timeline and deliverables.

19. We know our county will have to undertake a competitive process prior to entering into Operational Agreements for services and we will not know who the subcontractor will be at the time of proposal submission. Even draft Operational Agreements will be difficult for our county. What should we do?

A: In this case, the county should describe within the Proposal Narrative its plan to procure services, a brief description of the county's procurement process and an anticipated timeframe for completion of the process. The applicant should still include *draft* Operational Agreements (unsigned). Because your county will not know the name of the successful bidder, "Service Provider – TBD" could, for example, be listed on the Operational Agreement. If successful in the competitive process, the BSCC may place a special condition on the grant award until the subcontracts are executed.

Supplanting

20. The operations of our county's drug task force were previously funded in part by grant monies received from the JAG ADA program. Because there has been a reduction in the amount of methamphetamine laboratories in our operational area, our county would like to transition our task force to focus on a broader group of lab-related incidents, to include the manufacturing and transportation of all illicit drugs as well as environmentally hazardous incidents. Is it supplanting or do you foresee any other issues replacing these lost funds, if we were to apply for the new JAG funds with the modified concept? The new funds would be in support of the broadened concept and meant to enhance any existing funds the task force is still receiving.

A: If the task force ceased a major portion or all of its operations on 9/30/14, due to the JAG funds expiring, then the situation you presented does not appear to be a case of supplanting. One grant ended, operations ceased, and the county is now applying for a new grant to re-up and expand operations. If, however, the county continued operating the task force at full capacity with

General Fund and federal grant funds, then it likely would be a case of supplanting. You are simply replacing one fund source with another for primarily the same activity.

Funding and Funding Cycle

21. Will applicants be funded at the full dollar amount they request, or could they be offered a reduced amount?

A: Successful applicants will be funded at the full dollar amount they request, with one potential exception. If after all successful applicants have been funded there remains a leftover dollar amount, it may be offered to the next applicant on the ranked list. The applicant would have to agree to submit a revised budget and program plan for the reduced funding amount.

22. With the “small,” “medium” and “large” county designations, is the goal to have a certain level of funding assigned to each?

A: Yes, the JAG Executive Steering Committee (ESC) voted to split the JAG funds between the three categories as follows: 50 percent to large, 30 percent to medium and 20 percent to small. The ESC set funding thresholds in such a way that approximately half of the counties in each category could receive funding, assuming applicants request the full amount.

23. The RFP states that second and third year JAG allocations will be based on California’s total JAG allocation. When does BSCC usually find out what its allocation amount is? In other words, how much time will counties have to make adjustments if there is a reduction?

A: The BSCC is usually notified of its final JAG allocation in August or September. Should there be a reduction in funds from one year to the next, the BSCC will spread the reduction proportionately among the JAG grantees and notify grantees as soon as possible.

24. Potentially, the Board is only going to fund about half of the 58 counties and the grants will last for three years. Three related questions: 1) If counties are not successful in the first three years, will there be an opportunity for them to receive feedback from the ESC? 2) Will counties that did not receive funding in this round have preference in the next round? 3) On the other hand, if counties are successful in those first three years and show great promise, will that county gain some preference for the next round of funding?

A: If counties are not successful, the BSCC does have a process by which they can request feedback, after the final approval of funding recommendations is made by the Board. The last two questions represent important policy decisions that need to be brought before the JAG ESC for consideration prior to the next round of funding.

25. With the JAG funding cycle moving three-year cycle, does that mean that counties that are not successful this round will not be able to apply for another three years?

A: That is correct. The BSCC will not issue another JAG RFP until 2017.

26. Do counties have to spread the funding over three years, or will there be a new allocation each year?

A: The BSCC anticipates a new allocation each year, dependent on the federal funding allocation.

JAG Steering Committee

27. With the letters of support from the JAG steering committee members - should these be signed by the person who sits on the committee, or the head of the organization or agency that they represent? For example, if we have a Sheriff's Deputy on the committee, should he sign it or should it be the sheriff himself?

A: Page 10 of the RFP states that, "For each partner agency that participates as a part of the JAG Steering Committee...the applicant include a signed Letter of Agreement. This shall serve as acknowledgement of the partnership that will exist..." Because the intent of the letter is to acknowledge a partnership, the letter should be signed by an individual with decision-making authority; at least a second-line supervisor or manager.

28. For purposes of the JAG Steering Committee, what are some examples of "non-traditional" stakeholders?

A: As stated on page 9 of the RFP, "Examples of non-traditional stakeholders could include community-based and faith-based organizations, educators, social service providers, job developers, advocacy groups, or citizens.

29. The RFP states that there must be an equal distribution of traditional and non-traditional stakeholders on the JAG Steering Committee? Does that mean, literally, that there must be 5 to 5 or 6 to 6, etc.?

A: The RFP states that there should be "a balanced representation of both traditional and non-traditional stakeholders" on the JAG Steering Committee. Each county has flexibility in determining what "balanced" looks like in its own county; there is no requirement to have an exactly equal number of each.

30. Will the proposal be scored in terms of how many individuals are on the JAG Steering Committee, in support of the program, or will it be scored in terms of how many outside agencies are actually receiving funds?

A: The proposal will not be scored on how many individuals are on the JAG Steering Committee or on how many outside agencies receive funds. The proposal will be scored according to the sub-factors 4.1 through 4.10, listed under Section IV: Collaboration (page 25 of the RFP).

Timeline

31. Was there any consideration to the short timeline that was given to counties to implement these new changes? Counties feel like there was not adequate time given to pull this steering committee together and do the comprehensive planning that is required.

A: Yes, that was taken into consideration and that is part of the reason the BSCC moved the start date of the grant back to March 1, 2015. This allowed us to give prospective applicants 10 full weeks (rather than the traditional 6-8) for proposal development. However, the BSCC has been messaging these impending changes to its JAG stakeholders for almost two years. There have been several discussions at the Board meetings and at the Executive Steering Committee meetings; the requirement to involve community stakeholders and do collaborative planning should not have been a surprise. Having said that, the BSCC recognizes that forming a new steering committee each time a funding stream is released can be burdensome. That is why the RFP allows for counties to use an existing group, such as the Community Corrections Partnership, or sub-committee of that group, for purposes of meeting the JAG requirements.

Evidence-Based Practices

32. The RFP seems to imply to me that whatever program or strategy a county is designing must be shown to be effective. That to me says that it must show a reduction in crime or a reduction in recidivism as its indicators of success. Is this true?

A: No, reduced crime or reduced recidivism are not the only measureable outcomes or indicators of success for the JAG Program. Each county must decide what outcomes it is hoping to achieve and define success according to the context of its community make-up and its problems.

Attachments

33. What is the BSCC looking for in Appendix B, the Three-Year JAG Strategy? How is it different from what is in the Proposal Narrative? Is it included in the page limit of 20 pages?

A: The Three-Year JAG Strategy (Appendix B, required attachment) should be a bullet-point summary, or abstract, or high-level overview of the information that is presented in the Proposal Narrative. It will serve as a quick-reference guide for program oversight purposes. It is NOT included in the page limit.

34. Will the raters consider any other attachments (newspaper articles, letters from government officials, etc.)?

A: No, the raters will not consider attachments beyond those listed in the Proposal Checklist (page 21 in the RFP). Other attachments will be removed before the proposal is handed off to the rating team.

35. For rating sub-factor 3.12 on page 24 of the RFP (“Provide documentation of the organization’s readiness to start project(s) beginning March 1, 2015”), are you looking for certain attachments?

A: No. Though the word “documentation” seems to imply attachments or additional documents, in the context of this RFP, BSCC is looking for the applicants to address readiness within the narrative only. No additional attachments are allowed.

Program Purpose Areas

36. Under the Program Purpose Area, “Prevention and Education Programs” and Area of Need, “Substance Abuse”...is Mental Health included there?

A: The Areas of Need appear in the RFP exactly as they appeared on the JAG Stakeholder Survey and as they were ranked. There was no mention of mental health issues or dual diagnosis in the survey. However, applicants are not prohibited from including mental health as a part of an overall substance abuse strategy. This would be at the discretion of the county and should be articulated as a part of the overall problem or need.

37. Is there any clarification on the “Prevention and Education” Program Purpose Area? For example, at Probation we tend to think of prevention in terms of preventing individuals from progressing further into the justice system. As I read the JAG Survey, I got the impression that “prevention” is presented in terms of before someone enters into the system. Am I off base on that?

A: The Program Purpose Areas come directly from the JAG Solicitation, issued by the Bureau of Justice Assistance. "Prevention" is not specifically defined. Therefore, applicants have the flexibility to define what "prevention" means in their own county.

38. *There are three Program Purpose Areas – if an applicant chooses only one of the three, will it receive only a third of the possible points?*

A: No, applicants are free to choose one or more of the Program Purpose Areas and are not required to address all three. Applicants will be scored according to the rating factors listed starting on page 24 of the RFP.

39. *So, if a county doesn't have a gang problem, it should not apply under the "Gang Initiatives" Area of Need and it will not be penalized?*

A: Counties should not apply for funds to address a problem they do not have, simply to receive the funding. Counties should focus on the problem(s) identified at the local level and develop strategies accordingly, within the allowable Program Purpose Areas and Areas of Need.

Rating Process

40. *Who will be rating the JAG proposals?*

A: The JAG Executive Steering Committee (ESC) will be rating the JAG proposals. The ESC will be divided into three groups – one group will rate small counties, one will rate medium and one will rate large. This means that small counties will only compete against other small counties, medium against medium and large against large. ESC members will not be allowed to rate proposals from the category within their county of residence or employment falls.

41. *Does the score of the ESC stand alone or are there other reviews, e.g. Department of Finance?*

A: The score of the ESC stands alone, but the full BSCC Board will have final approval of the ESC's funding recommendations.

42. *What happens in the case of a tie?*

A: In the case of a tie, the scores will go back to the ESC for further discussion.

43. *It is clear from the results of the JAG Stakeholder Survey that law enforcement favored law enforcement initiatives, district attorneys favored court strategies, and so on. Is the make-up of the Executive Steering Committee (ESC) expected to influence preference in how they rate the proposals? In other words, will a district attorney look more favorably upon prosecution or court strategies?*

A: ESC members are high-level executives who act responsibly and professionally and take their roles in rating the proposals very seriously. Of course, all ESC members bring their respective backgrounds and expertise to the table; in fact, it is those backgrounds and levels of expertise that qualify them to serve on an ESC. However, all ESC members are explicitly instructed to remain neutral and unbiased as they rate the proposals, and not to favor one particular strategy over another. Rather, they are instructed to rate proposals according to the rating factors listed in the RFP.

44. In the RFP, there is a maximum number of points assigned to each rating factor. There are a number of sub-factors listed under each rating factor, e.g. 4.1, 4.2, 4.3, etc. If the applicant addresses all of the sub-factors, will they receive all of the points?

A: Not necessarily. The raters can assign up to the maximum points assigned to each rating factor and are encouraged to use the entire point range.

45. What if an applicant is addressing more than one problem or proposing to do more than one strategy? If one area doesn't have the point total, will the other areas suffer?

A: Proposals will be scored according to the rating factors listed in the RFP. Proposals will be scored on overall problem and strategy; individual components will not be scored individually.

46. In terms of the minimum scoring threshold....are total points considered, or if an applicant scores below 50 percent within just one rating factor, will the proposal be disqualified?

A: Only the total score is considered for purposes of meeting the 50 percent scoring threshold.

47. Will you notify successful applicants before final approval by the Board? So, could it happen that an applicant is notified that they were successful, but then for some reason the Board does not approve the grant?

A: Yes, BSCC will notify all applicants (successful and unsuccessful) prior to the February Board meeting. It is possible that the Board could disagree with the ESC's recommendations, though we do not expect that to occur.

48. Will the Board meeting where funding recommendations are approved be open to the public, i.e. could applicants testify before the Board, if necessary?

A: Yes, all BSCC Board meetings are open to the public and there will be an opportunity for public comment prior to any vote taken by the Board.

Reporting Requirements

49. Past reporting requirements have been extremely cumbersome. Will this change?

A: One of our goals at the BSCC is to minimize the data collection and reporting requirements placed on its grantees. The Bureau of Justice Assistance requires quarterly data submissions and annual progress reports. Our plan at the BSCC will be to work with grantees on a quarterly basis to collect the required process or output data and then to aggregate that data in order to submit the annual report. An outcome evaluation will be due at the conclusion of the three-year grant.