

2018 – Adam Walsh Act Implementation Grant Program (AWA) Special Conditions

The following program specific requirements are imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements. These requirements apply to Grantees and must be passed on to subgrant award recipients.

1. Grant funds may be used only for the purposes in the grantee's approved application. The grantee shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with Office of Justice Programs (OJP) grant funds, without prior written approval from DCJ.
2. Justification of consultant rate: Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the DCJ prior to obligation or expenditure of such funds.
3. To ensure substantial implementation of SORNA, OJP and the SMART Office require that all fingerprint and palm print equipment (commonly referred to as "Livescan" devices) purchased with grant funds is able to properly transfer information to the Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System (IAFIS).

This may be accomplished through a connection with the State system or through another conduit. The grantee agrees to assess and ensure that the system purchased with grant funds can communicate with the system submitting fingerprint data to IAFIS or with the State or other entity's system. Further, any such equipment purchased must meet the quality specifications established by the Federal Bureau of Investigation <https://www.fbibiospecs.org/IAFIS/Default.aspx>.

4. Cooperating with OJP Monitoring: The grantee agrees to cooperate with DCJ and OJP monitoring of this award pursuant to DCJ and OJP's guidelines, protocols, and procedures, and to cooperate with DCJ and OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The grantee agrees to provide to DCJ and OJP all documentation necessary for DCJ and OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the grantee agrees to abide by reasonable deadlines set by DCJ and OJP for providing the requested documents. Failure to cooperate with DCJ and OJP's monitoring activities may result in actions that affect the grantee's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the grantee's access to award funds; referral to the DOJ OIG for audit review; designation of the grantee as a High Risk grantee; or termination of an award(s).
5. The grantee agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 45 days following the close of this award period or the expiration of any extension periods. This report will be submitted to DCJ.
6. The grantee agrees that it will submit quarterly financial reports (DCJ Form 1-A) to DCJ, not later than 15 days after the end of each calendar quarter. The final report shall be submitted not later than 45 days following the end of the award period.

7. The grantee shall submit quarterly progress reports. Progress reports shall be submitted within 15 days after the end of the reporting periods, which are March 31, June 30, September 30 and December 31, for the life of the award. These reports will be submitted to DCJ.
8. To avoid duplicating existing networks or IT systems in any initiatives funded by SMART for law enforcement information sharing systems that involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of SMART that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
9. With respect to this award, federal funds may not be used to pay 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. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

10. The grantee agrees to assist SMART to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds and, if so, to advise SMART and request further NEPA implementation guidance. Grantee understands that this special condition applies to its activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are: a). new construction; b). minor renovation or remodeling of a property either: (1) listed on or eligible for listing on the National Register of Historic Places or; (2) located within a 100-year flood plain; c). a renovation, lease, or any other proposed use of a building or facility that will either; (1) result in a change in its basic prior use or; (2) significantly changes its size and; d). implementation of a new program involving the use of chemicals other than chemicals that are: (1) purchased as an incidental component of a funded activity and; (2) traditionally used, for example, in office, household, recreational, or education environments.