



**ILLINOIS
CRIMINAL JUSTICE
INFORMATION AUTHORITY**

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**LESS LETHAL ALTERNATIVES FOR LAW ENFORCEMENT
NOFO # 3082-2509**

RESPONSE TO APPLICANT QUESTIONS

Day posted: June 16, 2023

Question

Is there a Grant # assigned yet? I assume that will be done after awarding of grant.

Response

There have not been any grant numbers assigned yet related to this NOFO. Applicants do not need include a grant # with their application.

Question

Since there is an audit requirement and the expenses for the audit should be an indirect cost component, how would we expense that indirect audit cost out of the grant if the audit is completed after the grant has expired?

Response

Audit costs may be direct or indirect and should be specifically detailed in the budget proposal. Audit costs need to occur during the grant's performance period to be expensed to the grant.

Question

I have attached two pages; the first page is pertaining to travel for staff; much of this is general as any further detail is hard to determine. Does this look satisfactory?

Response

Providing the purpose of travel, with a narrative, and a breakdown of travel costs is sufficient for the application. During contracting, ICJIA grant specialists will work with selected applicants on their budget to address any issues. Travel costs charged to ICJIA must conform to State Travel Guidelines, including that the listed Lodging and Per Diem travel rates are used and that travel expenses can only be funded for personnel named and funded through the grant.

Question

The second page is a copy of the signature page. There is a request for two signatures (Director and Finance); Do we have to fill out the Program Agency as well?

Response

You do not need to complete the program agency. There are no signatures required for the budget document at this time.

Question

I noted that ICJIA has different requirements for sole source (noted in the Contractual tab); Is there anything you can tell us regarding this statement.

Response

Applicants are encouraged to promote free and open competition in awarding contracts. However, ICJIA recognizes the need for flexibility in certain cases, such as when only one vendor can provide the required services/items. During contracting, ICJIA grant specialists will work with selected applicants to ensure compliance with all subcontracting and procurement requirements. Applicants will be asked to respond to a series of questions and provide specific justification if seeking non-competitive procurement methods.

Question

Just want to confirm that the FFATA does not need to be filled out because this is entirely State Funds (no CFDA number).

Response

Correct, applicants do not need to fill out the FFATA.

Day posted: June 13, 2023

Question

We understand policy review and approval for those agencies that receive LL grant equipment as necessary. However, does ICJIA also intend for the grantee to do policy review for those agencies that are not receiving equipment but attending Less Lethal Alternatives Training? Beyond that, would the grant support policy review for any agency – even if they receive no training or equipment – that wants their use of force policies reviewed by subject matter expert? Our reading of the NOFO does not indicate that policy review of non-sub-grantees is prohibited. Is that correct?

Response

There is no requirement that the selected lead entity(s) review and approve use of force and/or less lethal policy for subgrantee agencies receiving less lethal alternatives training through this grant. The review of policies related to less lethal devices/alternatives is a potentially allowable use of grant funds. The NOFO does not prohibit policy review of agencies who did not also receive equipment and training through the grant. ICJIA encourages applicants to propose and support uses of grant funds based on their expertise and the demonstrated needs of local law enforcement.

Question

Is the \$20M Less Lethal (LL) Grant created by the SAFE-T Act a special multi-year fund in the State budget?

Response

No, the funding for this opportunity is appropriated from the Illinois General Revenue Fund.

Question

Does the State expect *all of the funds* (\$19M) to be expended in one fiscal year with potential supplemental or further funding in years two or three based on the General Assembly allocating additional funds in those years? **OR**, is it a *special* multi-year fund for \$19M that has to be “reauthorized” each year?

Response

The funding for this opportunity is appropriated from the Illinois General Revenue Fund and included in the SFY24 Illinois State Budget. As such, the funding must be spent by June 30, 2024 unless it is reappropriated. In the event there are unspent grant funds, ICJIA intends to advocate they be reappropriated to following State Fiscal Years. However, there is no guarantee of funding being available beyond June 30, 2024. As such, applicants should propose realistic budgets for a period of performance of August 1, 2023, through June 30, 2024.

Question

If it is extended in years two and three, will that require an additional grant application process or will the original award simply be extended?

Response

There is no guarantee of an extension in the period of performance beyond June 30, 2024. ICJIA will evaluate award extensions as needed based upon the amount and availability of funds and satisfactory performance.

Question

Is this a reimbursement grant or is there any advance/partial advance funds possible?

Response

ICJIA does allow grantees that meet additional criteria to receive advance payment. Grantees that don't meet, or elect to receive, advance pay are paid on a reimbursement basis. Furthermore, grantees that lack sufficient working capital may receive a working capital advance if being paid on a reimbursement basis. ICJIA will work with the selected applicant(s) to determine and screen for the appropriate payment method.

Grantees must meet the following requirements in order to qualify for an advance payment schedule throughout the performance period of the grant:

1. Have written procedures to minimize the time elapsing between the receipt and the disbursement of Grant Funds to avoid having excess funds on hand. Grant

- funds held for more than 10 business days are considered outside of Grantee's actual, immediate cash requirements and must be returned to ICJIA;
2. Have financial management systems that meet the standards for fund control and accountability as established in 2 CFR § 200.302;
 3. Itemize all proposed expenditures to be paid by the advance, which must be allowable and approved; and
 4. Propose advance payments limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the grantee in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the grant recipient for direct program or project costs and the proportionate share of any allowable indirect costs.

Question

Also, my assumption is that we can only submit quarterly for reimbursement OR is monthly possible? What would be potential turnaround of the reimbursement funds to [the applicant].

Response

ICJIA allows for either monthly or quarterly reimbursement payments to grantees, dependent on financial reports documenting actual expenditures. All grantees are required to submit financial reports to ICJIA, either monthly or quarterly, by the 15th day following the payment request period. ICJIA will work with the selected applicant(s) to determine the appropriate reporting period for each grantee based on, among other factors, the grantee's need for payment, the grantee's capacity to submit reports, any applicable federal requirements, and any grant-specific requirements. Reimbursement payments should be made within 30 calendar days after receipt of the financial report. All payments are subject to appropriation, cash availability, and processing by the Office of the Comptroller.

Day posted: June 2, 2023

Question

Less Lethal Device Scope

What is ICJIA's expectation with regard to scope of the less lethal device options listed? Does ICJIA expect an applicant to request grant funds to provide training and equipment for all of the options listed in the NOFO? Or, alternatively, would it be possible for an applicant to apply – in the first year – to limit the equipment to Conducted Energy Weapons (tasers) and its related training in the first year? If that is the case, could [the applicant], expand into OC and/or tear gas in the second year, etc.? Can a phased approach be undertaken to expand the device list?

Response

The non-exhaustive list of less lethal devices included in the NOFO on pages 5 and 15 is intended to help further define and illustrate allowable less lethal devices. In a lead entity partner, ICJIA is seeking an organization(s) that possess subject matter expertise in less

lethal devices and can demonstrate existing needs for local law enforcement agencies as it relates to less lethal devices and training in their application. Lead entity applicants may propose a specific and limited subset of less lethal devices that falls within that NOFO definition in their application. However, applicants will be scored on their ability to meet the demonstrated need of less lethal devices. We would encourage applicants that propose to limit the scope of less lethal devices to provide compelling justifications for doing so. ICJIA will work with selected applicant(s) to further define and approve allowable less lethal devices.

Question

Training – Mandates and Scope

Starting on page five, there are two sections which discuss training. The first section, entitled Less Lethal Device Training, states, “Law enforcement officers equipped with less lethal devices should receive initial and refresher training on their use and effects” (emphasis added). We assume the intent was that officers receiving devices shall receive such training. Is this assumption correct?

Response

Correct, officers receiving devices through this grant should also receive training on their use and effects, the lawful use of force, and all related agency policies and procedures.

Question

Relatedly, in the following section entitled Less Lethal Alternatives, the document reads, “...may include training on how to avoid the use of force, de-escalation techniques, mediation, communication, and applicable human rights and standards” (emphasis added). Who is the intended audience for this training? Is this for the officers receiving devices (in addition to the actual device training)? Does that mean that there is no requirement to provide less lethal alternatives type of training to those device-receiving officers?

Is the intent only to train officers actually receiving the devices or can the grant applicant provide less lethal alternatives training statewide to as many law enforcement officers as possible? Is the applicant required to provide all of the types of less lethal alternatives training on that list, both for the officers receiving devices or, if allowed, for a more widespread audience? Could [the applicant] as the grantee contract with the Illinois Law Enforcement Training and Standards Board (ILETSB) to provide Less Lethal Alternative training through the MTUs statewide during the grant performance period regardless of whether the agencies acquire less lethal devices or not?

Response

The funding is intended to be used to provide “Less Lethal Alternatives” training as defined on page 5, 6, and 15 of the NOFO for law enforcement officers statewide, regardless if they received a less lethal device through this grant. There is no requirement that officers receiving a less lethal device through this grant are also provided the training defined as “Less Lethal Alternatives”. The selected applicant(s) could contract with the Illinois Law Enforcement Training and Standards Board (ILETSB) to provide less lethal alternative training through the MTUs statewide during the grant performance period

regardless of whether the agencies acquire less lethal devices or not. The non-exhaustive list of less lethal alternatives included in the NOFO on pages 5, 6, and 15 is intended to help further define and illustrate allowable less lethal alternatives. ICJIA will work with selected applicant(s) to further define and approve any allowable less lethal alternatives.

Question

Management and Administration

Would [the applicant] be eligible for any management and administration costs associated with these grant efforts? If [the applicant] were to be awarded grant funds from ICJIA, is there an expectation or allowance for M&A costs to be included in our application and administration.

Response

Correct, management and administration costs associated with these grant efforts are allowable. As noted on page 8 of the NOFO, applications must include all associated administrative costs, including indirect costs, in the proposed budget/budget narrative. All costs must be directly related to the administration of the proposed program. Please include all proposed program costs in the Excel budget spreadsheet. A detailed explanation of all costs should be included in the budget narrative.

Question

Allowable Costs

While [the applicant] has much of the necessary infrastructure in place, there may need to be modifications made to the inventory distribution system software in use so that adequate tracking of policies and equipment could be undertaken. Upon reviewing the notice, it would seem the costs associated with such “data collection and management” efforts would be allowable but “must be pre-approved by ICJIA.” Is our interpretation correct?

Response

Correct, administration and data collection and management costs are allowable assuming they meet all other requirements including that they are reasonable, necessary, and allocable to the program. As noted on page 8 of the NOFO, applications must include all associated administrative costs, including indirect costs, in the proposed budget/budget narrative. All costs must be directly related to the administration of the proposed program. Please include all proposed program costs in the Excel budget spreadsheet. A detailed explanation of all costs should be included in the budget narrative.

Day posted: May 26, 2023

Question

Regarding the referenced NOFO #3082-2509, we would respectfully request the Illinois Criminal Justice Information Authority to list “branded device” as a Less Lethal Device along with the others currently outlined on page 5 of 24 of the NOFO.

Additionally, we respectfully request “branded device” be listed as an Allowable Expense under 6. Funding Restrictions, c) Allowable Expenses as Taser and the other enumerated items (page 15 of 24). We would officially request “branded device” be pre-approved by ICJIA as referenced in this section.

Response

The NOFO defines less lethal devices as "devices designed or intended for use on individuals or groups of individuals which, in the course of expected or reasonably foreseen use, have a lower risk of causing death or serious injury than do firearms." Applicants may propose any device that falls within that definition in their application. The non-exhaustive list included in the NOFO is not intended to exclude other devices which fall within the provided definition of less lethal devices.

Day posted: May 19, 2023

Question

For this NOFO, are sub-grantees required to submit a grant application as well?

Response

The purpose of this funding opportunity is to support less than lethal alternatives for law enforcement agencies in the provision of public safety to the community. Through this funding opportunity, a lead entity will distribute and manage funds to subgrantees and will be responsible for the fiscal oversight and quality assurance of its subgrants.

The lead entity for this notice of funding opportunity is the applicant and they shall utilize a competitive bidding process for its subgrants. Here, the lead entity may apply for this published award and when selected may accept applications from subgrantees who have submitted proposals. Therefore, this opportunity is reserved for a lead entity and subgrantee applications may be submitted to the lead agency awarded the grant opportunity.

Last day for question submission is 5:00 p.m. CST, June 15, 2023.