



# OFFICE OF PLANNING AND BUDGET

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## **Public Safety and Community Violence Reduction Grant Program FAQs**

This document contains answers to frequently asked questions OPB has received regarding the Public Safety and Community Violence Reduction Program under the State Fiscal Recovery Grant Program and the post award process. Applicants should refer to the US Department of Treasury Final Rule and corresponding Final Rule FAQs, as well as the OPB website for links to federal guidance and OPB resources for grantees.

**DISCLAIMER:** This document is intended to serve as a guide to the grant application process for prospective applicants seeking grant funding from Georgia's allotment of the Coronavirus State Fiscal Recovery Fund (CSFRF). This guidance is not intended to address eligible uses of CSFRF and is not exhaustive, binding, or final. The U.S. Treasury continues to update its guidance. This federal guidance is binding upon the State as well as all grant recipients.

The purpose of this funding is to address violent gun crime and community violence that have increased as a result of COVID-19, or to address a decrease in public sector law enforcement staffing as a result of COVID-19.

### **Application**

**1. What is the maximum award amount?**

OPB anticipates that approximately \$100,000,000 million may be available under this NOFO, which may be increased or decreased at OPB's discretion. Awards may be made up to Up to \$1,500,000 per entity. OPB reserves the right to fund, in whole or in part, any, all, or none of the applications submitted in response to this NOFO.

**2. Where can I find application and program specific information?**

Entities that are interested in applying for Public Safety and Community Violence Reduction Grant Program can visit the website [here](#) and review the Notice of Funding Opportunity (NOFO) [here](#).

**3. Who is eligible to apply?**

All ARPA applicants must have an organization, or subrecipient, that will serve as the fiduciary agent and assume overall responsibility for the grant. As this is a law enforcement grant, the implementing agency must be a law enforcement agency and the affiliated unit of government will be either the municipal or county governance of the law enforcement agency. Eligible ARPA applicants include:

- Law enforcement agencies;



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- A unit of local government; and
- State agencies.

#### **4. What are the eligible activities under the grant program?**

Applicants interested in applying should review the NOFO for eligible program activity. The NOFO can be found [here](#).

#### **5. What is considered unallowable activity?**

OPB will consider anything outside of the eligible activities as unallowable. Below is a non-exhaustive list of unallowable activity under this program:

- Vehicles, Vessels, or Aircraft (Lease or Purchase);
- Unmanned Aerial Vehicles/Unmanned Aircraft (Lease or Purchase);
- Military-Type Equipment;
- Firearms;
- Ammunition;
- Construction Projects;
- Costs Incurred Outside the Project Period;
- Credit Card Fees;
- Fines and Penalties;
- Land Acquisition or Real Estate;
- Luxury Items;
- State and Local Sales Taxes; and
- Promotional Items.<sup>1</sup>

#### **6. Are school districts also eligible to apply for this grant as a local government?**

Applicant eligibility includes law enforcement agencies, local units of Government as defined by O.C.G.A. § 36-81-8.1, and State agencies. Additionally, the implementing agency must be a law enforcement agency and the affiliated unit of government will be either the municipal or county governance of the law enforcement agency. See FAQ #3.

#### **7. What is the award time frame?**

All funds must be expended by October 31, 2026, which is the end of the period of performance. The awardee may use Improving Neighborhood Outcomes in Disproportionally Impacted Communities Grant funds to cover costs incurred beginning from the date of award approval by OPB through October 31, 2026.<sup>2</sup> Only new projects that have not started at the time of the

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<sup>1</sup> Promotional items do not include informational materials for an eligible program proposed under this NOFO.

<sup>2</sup> Award approval requires an executed Terms and Conditions agreement, active UEI, vendor location on file, and approved budget. The award status will move from 'awarded' to 'approved' when the requirements are met.



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release of this NOFO are eligible for the Public Safety and Community Violence Reduction Grant Program.

**8. What is the fund source for this program?**

This program is made available through the American Rescue Plan Act State Fiscal Recovery Funds.

**9. Are match funds required?**

Match funds are not required or scored under this NOFO.

**10. Can an eligible entity submit multiple projects?**

An eligible applicant may submit more than one project, but each project should be submitted in a separate application based on the program categories outlined in the NOFO.

**11. Can applicants apply jointly?**

Yes, partnership applications are allowable but the entity that submits the application would have the fiduciary responsibility and be deemed as the subrecipient.

**12. As a consolidated government, can our Sheriff's Office and Police Department both apply for this grant?**

Law enforcement entities must be the implementing agency per the criteria outlined in FAQ #3. In this scenario, both the Sheriff's Office and the Police Department would be eligible to submit an application for funding under this opportunity.

**13. Where can we find copy of PowerPoints and webinars for grant programs?**

All webinars and accompanying PowerPoints can be on our [For Grantees webpage](#) under webinars and tutorials.

**14. Is a letter of support or resolution from a government required?**

Eligible applicants should follow the policies within their city or county with regards to resolutions to submit an application. Letters of support within the application is an optional upload. OPB does not require an upload of the resolution from the respective applicant, however this does not supersede any governing policies within your unit of government or organization.

**15. For Category 1, related to pre-pandemic positions unfilled on 3/3/2021, is the purpose to fill positions which remain unfilled as of the start date of this grant, or to reimburse for the expenses related to the vacancies including hiring for them?**



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The purpose of this category is to hire public safety employees for the same positions that existed on January 27, 2020, but that were unfilled or eliminated as of March 3, 2021, or for hiring above pre-pandemic baseline, by adjusting the pre-pandemic baseline for historical growth in the public sector employment over time. If choosing this option, the formula prescribed in Treasury's final rule that must be completed to determine eligibility.

**16. What is required to demonstrate that gun crime and community violence have increased as a result of COVID-19?**

It is the responsibility of the applicant to use data to demonstrate an increase in gun crime and/or community violence as a result of COVID-19. Generally accepted resources for citation include but are not limited to peer-reviewed journal and published data or reports. Examples of commonly accepted resources for crime statistics are below<sup>3</sup>:

- [Uniform Crime Reporting \(USR\) Program Data](#);
- [Bureau of Justice Assistance](#);
- [Office of Justice Programs](#); and
- [National Public Safety Clearinghouse](#).

Generally unaccepted resources include but are not limited to news articles, magazines, blogs, general websites, and non-academic and not peer-reviewed sources.

**17. What does Treasury consider the beginning of the pandemic for purposes of demonstrating an increase in gun crime and community violence or a decrease in staffing due to COVID-19?**

ARPA Final Rule indicates that applicants should use January 27, 2020, as the ARPA recognized start of the pandemic.

**18. Can these funds be used to request a grant writer, recruiter, or administrative staff.**

Eligible activity for this grant can be found within the eligible activity section of the [NOFO](#). For category 1, Law Enforcement Hiring, and applicant may hire public safety employees for the same positions that existed on January 27, 2020, but that were unfilled or eliminated as of March 3, 2021, or for hiring above pre-pandemic baseline, by adjusting the pre-pandemic baseline for historical growth in the public sector employment over time.

Funding under this grant program is forward-looking from the approval of the grant award, which includes completion of the applicant onboarding process. Programs should only begin once the status of the award is approved. OPB will not reimburse any costs prior to this date.

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<sup>3</sup> This is not an exhaustive or binding list of examples. This is meant to assist applicants by providing a non-exhaustive list of resources for crime statistics.



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Categories 2 and 4 under the eligible activity section of the [NOFO](#) may include personnel to implement programs given that they align to the eligible activity for the respective categories.

### **19. What will the payment method type be for this grant?**

This grant will be a reimbursement method of payment. Under this method of payment, a grantee is required to finance its operations with its own working capital. Grant payments will be made to reimburse the Grantee for actual expenditures made supported by adequate documentation.

## **Uniform Guidance**

The following guidance has been taken from the US Department of Final Rule FAQ as of April 27, 2022, <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-FAQ.pdf>.

### **1. (13.1) What provisions of the Uniform Guidance for grants apply to these funds? Will the Single Audit requirements apply? (US Department of Treasury FAQ 13.1)**

Most of the provisions of the Uniform Guidance (2 C.F.R. § 200) apply to this program, including the Cost Principles and Single Audit Act requirements. Recipients should refer to the Assistance Listing for detail on the specific provisions of the Uniform Guidance that do not apply to this program. The Assistance Listing will be available at <https://sam.gov/fal/7cecfdef62dc42729a3fdcd449bd62b8/view>. For information related to Single Audit requirements specifically, please refer to the Compliance Supplement materials released by the Office of Management and Budget.

### **2. Do federal procurement requirements apply to SLFRF? (US Department of Treasury FAQ 13.2)**

Yes. The procurement standards for federal financial assistance are located in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. § 200.317 through 2 C.F.R. § 200.327 and apply to procurements using SLFRF funds. Pursuant to 2 C.F.R. § 200.317, recipients that are non-state entities, such as, metropolitan cities, counties, non-entitlement units of local government, and Tribes must comply with the procurement standards set forth in 2 C.F.R. § 200.318, through 2 C.F.R. § 200.327, when using their SLFRF award funds to procure goods and services to carry out the objectives of their SLFRF award. States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317, as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327 when using their SLFRF award funds to procure goods and services to carry out the objectives of their SLFRF award. See also SLFRF Award Terms and Conditions. Recipients are prohibited from using SLFRF funds to enter into subawards and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs. See 2 C.F.R. §



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200.214. Moreover, a contract made under emergency circumstances under the Coronavirus Relief Fund (CRF) cannot automatically be transferred over to SLFRF. These programs are subject to different treatment under the Uniform Guidance. Under the CRF program, recipients are permitted to use their own procurement policies to acquire goods and services to implement the objectives of the CRF award. Under the SLFRF program, recipients are required to follow the procurement standards set out in 2 C.F.R. § 200.

(Uniform Guidance) pursuant to the SLFRF Award Terms and Conditions executed by the recipients in connection with their SLFRF awards.

### **3. What is the threshold for competitive bidding for my government? (US Department of Treasury FAQ 13.3)**

As stated above, recipients are required to comply with the procurement standards set forth in 2 C.F.R. § 200.317 through 2 C.F.R. § 200.327 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Pursuant to 2 C.F.R. § 200.317, States, the District of Columbia, and U.S. Territories should refer to the competitive bidding thresholds described in their own procurement policies and procedures. Other non-federal entities, such as metropolitan cities, counties, non-entitlement units of local government, and Tribes must adhere to the competitive bidding thresholds set forth in 2 C.F.R. § 200.320 for the relevant procurement methods.

2 C.F.R. § 200.320 describes methods of procurement based on two procurement thresholds. The Micro purchase threshold (MPT) and the Simplified Acquisition Threshold (SAT).

**Micro-purchase threshold (MPT) - 2 C.F.R. § 200.320(a)(1):** Purchase of supplies and services for a price below the MPT, currently set at \$10,000, are not required to be solicited competitively. However, there are circumstances when a recipient may have a MPT that is greater than \$10,000. For example, all non-Federal entities may increase their MPT up to \$50,000 if they follow the protocols described in 200.320(a)(1)(iv). Additionally, nonfederal entities such as metropolitan cities, counties, non-entitlement units of local government, and Tribes may use their own MPT if they follow the protocols described in 200.320(a)(1)(iv).

**Simplified Acquisition Threshold (SAT) - 2 C.F.R. § 200.320(a)(2):** Purchases of property and services at a price above the recipient's MPT and below the SAT, currently set at \$250,000, may be made following the small purchase procedures described in the definition of SAT in 2 C.F.R. § 200.1 and 2 C.F.R. § 200.320(a)(2). Procurement of property and services at a price above the SAT must follow the formal procurement methods outlined in 2 C.F.R. § 200.320(b).



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**4. Can a recipient prequalify firms for projects funded with SLFRF? (US Department of Treasury FAQ 13.4)**

The Uniform Guidance permits recipients to use prequalified lists of persons, firms, or products so long as a list is current and includes enough qualified sources to ensure maximum open and free competition. The Uniform Guidance does not specifically define the term “current” for purposes of 2 C.F.R. § 200.319(e), and Treasury has not adopted additional guidance regarding this requirement as it applies to the SLFRF. As such, recipients must determine when a prequalified list would be sufficiently current, and a recipient must not preclude potential bidders from qualifying during the solicitation period. See 2 C.F.R. § 200.319(e).

Furthermore, recipients may not utilize this provision to evade conducting their procurement transactions in a manner that provides for full and open competition. Recipients should be mindful that other provisions of the Uniform Guidance inform the procurement requirements. For example, metropolitan cities, counties, non-entitlement units of local government, and Tribes must have and use documented procurement procedures, consistent with binding State, local, and Tribal laws and regulations. See 2 C.F.R. § 200.318(a).

**5. Where can one find the most current information on assuring minority owned businesses are included in the awards process? (US Department of Treasury FAQ 13.5)**

The most up-to-date information on assuring that minority-owned businesses are included in the procurement process is located in 2 C.F.R. § 200.321, Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

**6. Is there certain language that needs to be included in a bidding package? (US Department of Treasury FAQ 13.6)**

Treasury does not require that there be specific language included in bidding packages, but SLFRF recipients must ensure all contracts made with SLFRF award funds contain the applicable contract provisions listed in 2 C.F.R. § 200, Appendix II.

**7. Are recipients allowed to leverage existing contracts? (US Department of Treasury FAQ 13.7)**

Recipients may leverage existing contracts for SLFRF activities if the existing contracts conform to the procurement standards in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 C.F.R. § 200 (Uniform Guidance). States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317 as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327. All other recipients must follow 2 C.F.R. § 200.318, General procurement standards, through 200.327, Contract provisions.



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**8. Would an interlocal agreement—an agreement entered into between governments to effectuate an eligible use of the funds—or a cooperative purchase agreement need to be bid out? (US Department of Treasury FAQ 13.8)**

States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317 as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327. All other recipients must follow 2 C.F.R. § 200.318, General procurement standards, through 200.327, Contract provisions. Recipients should consult the applicable procurement standards or policies to determine whether a cooperative purchase agreement must be bid out. Information on when competition is required and when exceptions to competition are permitted are located in 2 C.F.R. § 200.319, Competition, and 2 C.F.R. § 200.320, Methods of procurement to be followed.

It is permissible for recipients to use interlocal agreements, but procurement standards set forth in the Uniform Guidance may still apply.

**9. How is a “contract” different than a “subaward? (US Department of Treasury FAQ 13.9)**

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 C.F.R. § 200 (Uniform Guidance) provides definitions for “contract” and “subaward.” A contract is a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a federal award. A subaward is distinct from a contract in that a subaward is an award provided by a recipient of a federal award to a subrecipient to carry out part of a federal award on behalf of the recipient. Recipients may make subawards through any form of legal agreement, including an agreement that the recipient considers a contract. See 2 C.F.R. § 200.331 for more information on the differences between contracts and subawards.

**10. What other background laws must recipients comply with? (US Department of Treasury FAQ 13.10)**

SLFRF recipients must comply with all laws outlined in the SLFRF Award Terms and Conditions that the recipients accepted in connection with their SLFRF award and all other applicable executive orders, federal statutes, and regulations in carrying out their SLFRF award. Recipients must also provide for such compliance by other parties in any agreements it enters into with other parties relating to the award. The award terms listed specific statutes and regulations that apply to the award, but the award terms made clear that these lists were not exclusive. Particularly in the case of the SLFRF, it’s not possible to enumerate the full list of federal statutes, regulations and executive orders that may be applicable to the award given that the range of eligible uses of funds is so broad, including the provision of government services.





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**11. How does Treasury treat program income? (US Department of Treasury FAQ 13.11)**

Per 2 C.F.R. § 200.307, Treasury is specifying here that recipients may add program income to the Federal award. Any program income generated from SLFRF funds must be used for the purposes and under the conditions of the Federal award. Program income includes but is not limited to income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with federal award funds. Interest earned on advances of federal funds is not program income. For more information on what constitutes "Program Income" please see 2 C.F.R. § 200.1.

**12. Does COVID-19 and the national emergency qualify as "exigency" as a special circumstance under 2 C.F.R. § 200.320 (c) in which a noncompetitive procurement can be used? If so, may a contract utilizing this special circumstance have a term that extends beyond the national emergency? For example, may a County execute a contract (without going through a competitive solicitation) immediately with a contractor to provide services with a term through the end of 2024, relying upon this special circumstance? (US Department of Treasury FAQ 13.12)**

The COVID-19 public health emergency does not itself qualify as a "public exigency or emergency" under 2 C.F.R. § 200.320 (c). In other words, a recipient may not justify a noncompetitive procurement simply on the basis that the procurement is conducted during the public health emergency or that the project is in response to the public health emergency.

Instead, the recipient must make its own assessment as to whether in the case of a particular project there is a public exigency or emergency that "will not permit a delay resulting from publicizing a competitive solicitation."