

## Additional Information for Grantees Impacted by COVID-19

April 23, 2020

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This guidance is provided in response to the questions we have received from Grantees. We understand this is a difficult time and want to address your questions and concerns, as fully as possible. Please contact your Public Safety Grants Representative at the DCJS Office of Program Development and Funding (OPDF), as soon as possible, to initiate any necessary actions described below. Unless you are informed otherwise, this guidance will remain in effect for the duration of the New York State declared state of emergency, which was originally issued by Governor Andrew M. Cuomo on March 7, 2020 through Executive Order 202.

### Allowable Costs

**Purchases:** Purchases necessary for the safety and protection of employees or clients, such as hand sanitizers and masks, and purchases that allow programs to continue to operate and/or serve clients while adhering to social distancing measures, will generally be eligible for reimbursement. Please work with your Public Safety Grants Representative to determine if a budget modification is necessary. Please maintain documentation that supports each purchase, its circumstances, and the justification.

**Non-refundable cancellation fees:** Consistent with federal allowances, DCJS will allow grantees to receive reimbursement for expenses incurred, including cancellation fees and penalties, for events, travel, or other activities conducted under the auspices of the grant that were cancelled or postponed because of COVID-19 travel or social distancing restrictions. In cases where charging of cancellation or other costs results in insufficient funds to eventually carry out the event or travel, please contact your DCJS Public Safety Grants Representative to discuss a possible budget modification, where appropriate. It is important to note that the contract award cannot be increased. Grantees should be able to document: (1) that they requested a refund; (2) that they made clear to the vendor that the cancellation was due to the COVID-19 impact; and (3) that the refund request was nevertheless denied.

**Contract Extensions:** Requests for contract extensions will be reviewed on a case-by-case basis. Grantees with existing executed contracts should contact their DCJS Public Safety Grants Representative if considering a no-cost contract extension due to COVID-19 related issues. In some cases, it may be best to modify the contract rather than extend it. DCJS will work with grantees to determine which option is in the best interests of the state and of the program. For example, it may not be possible to extend a contract where there is a renewal option coming up, since DCJS is unable to have two contracts overlap for the same services. Additionally, contracts supported with federal funds may be limited by time constraints associated with the funding. Extensions will be examined on a case-by-case basis and allowed, where appropriate.

**Budget Modifications:** We understand that it may be necessary to modify your current budget to adjust for unforeseen COVID-19 related expenditures. For example, there may be cases where the purchase of equipment, not in the original budget, was necessary to perform program work at a remote location during the COVID-19 public health emergency. If approved, such equipment will become the property of the grantee agency for continued criminal justice program purposes, and not the property of the individual for whom it was purchased during the period of telecommuting. Situations, such as these, will be reviewed and if properly documented and justified, may be approved. Please note that formal budget modifications are only necessary if the dollar value is above the standard thresholds. Please work with your DCJS Public Safety Grants Representative to determine if a budget modification is required.

**Performance-based Contracts:** Performance-based contracts are also eligible for budget modifications and/or reallocations among milestones, as necessary, due to the reduced number of individuals being served or the inability to provide certain services during this COVID-19 state of emergency. DCJS is working with our control agencies to identify allowable practices regarding performance-based contracts. Grantees are asked to continue submitting all reports, where possible, and to contact your DCJS Public Safety Grants Representative to request milestone reallocations, as needed. Additional information will be provided to performance-based contract grantees at a later date. In the meantime, please continue to document all work performed and individuals served.

**Reduction in Services:** DCJS will allow grantees to submit for reimbursement for salaries and fringe where employees were able to provide limited services and/or outreach, to the best of their ability, as described in their contract workplan. Please remember it is important to maintain records that document how work was performed, or services made available, during the period of COVID-19 or through May 30, 2020, unless otherwise advised. Lower than budgeted salary expenditures may justify the need for a contract budget modification. Please work with your DCJS Public Safety Grant Representative in initiating any requests.

**Contract Advances:** Previously approved advances will be provided to not-for-profit grantees upon contract execution and upon submission of the required documents. Grantees who did not request an advance on their contract initially, but now are in need, should reach out to their contract representative to discuss whether this is advisable, as the contract would need to be invalidated and signed again. Also, please note that advances are recouped from future vouchers, so this may not be the best option. Government agencies are not eligible for advances.

**Record Retention:** Please continue to maintain records of all work and performance as you normally would, to the extent practicable. We recognize that some record keeping may not be in the same format as usual, but please be sure to record and document as much as possible. For example, if timecards cannot be accessed remotely, one should maintain a detailed calendar of time worked. Another example is that case files may not be updated as usual, but notes should be maintained and later merged with the case record. Every effort should be made to document as much as possible since this information will be the basis for milestone reimbursement.

**Reporting Requirements:** Contracts supported with federal funds have been given a 60 day extension on their reporting due dates. See additional information from the U.S. Department of Justice, provided below, for grantees whose contracts are federally funded.

Unless otherwise advised, contracts funded by DCJS with NYS local assistance funding should attempt to submit their required quarterly (and/or monthly in some cases) reports to DCJS in keeping with existing reporting schedules. The current quarterly reporting period ends on March 31<sup>st</sup> and reports are due April 30<sup>th</sup>. DCJS will provide flexibility in the reporting requirements, if needed, and we ask that you contact your DCJS contract Public Safety Grants Representative to request an extension.

Please note that DCJS will not impose sanctions or delay payments due to late reporting as a result of, and throughout the duration, of the COVID-19 state of emergency.

**Electronic Signatures:** In addition to electronic signatures allowed for contract execution, DCJS has determined that the use of electronic signatures will be permissible where signatures are required on finance related documents submitted to DCJS, including requests for payment vouchers. If it is not possible to have these forms signed, or if you are not using an electronic signature, please type your name and email address into the signature field of the Claim for Payment. Additionally, you may type your name in the signature field of the Fiscal Cost Report and all Detailed Itemization Forms.

**Payment and Processing:** To help facilitate your work, and to ensure that everyone stays safe during these times, DCJS will now be accepting grantee vouchers submitted electronically. Electronic vouchers can be submitted to [dcjsGrantsUnitVoucherSubmittal@dcjs.ny.gov](mailto:dcjsGrantsUnitVoucherSubmittal@dcjs.ny.gov). When submitting a voucher through email, please make the subject line your contract number, the quarter for which you are vouchering, and the name of your organization. One example of a subject line would be: "C123456 January-March 2020 Albany Police Department".

Please note that DCJS will continue to accept paper copies of vouchers in addition to accepting electronic voucher documents. If you have already submitted a voucher via email, you do not need to send any physical/paper copies. Any paper voucher submittals should continue to be mailed to:

NYS Division of Criminal Justice Services – Finance/Grants Unit  
Alfred E. Smith State Office Building – 10<sup>th</sup> Floor  
80 South Swan Street  
Albany, NY 12210

Please see additional information sent to grantees on April 3, 2020, regarding payment and processing at <https://www.criminaljustice.ny.gov/ofpa/index.htm>.

**Contract Monitoring:** Until otherwise notified, all planned on-site monitoring will be conducted as remote monitoring or postponed until a later date. You will be contacted by your OPDF Public Safety Grants Representative to make alternative arrangements. If your agency or organization is unable to participate in remote monitoring due to operational limitations, you may also request postponement until a later date.

**Please note the following information:**

DCJS Grants Management System (GMS)

<https://grants.criminaljustice.ny.gov/>

GMS will remain in service. Grantees can continue to work with DCJS to develop contracts and submit progress reports.

DCJS GMS Helpdesk

(518) 457-9787 – Available from 9:00 am to 5:00 pm Monday through Friday.

GMS Funding Email: [Funding@dcjs.ny.gov](mailto:Funding@dcjs.ny.gov)

NYS Grants Gateway Helpdesk

Phone: (518) 474-5595 (leave a voicemail message and you will receive a return phone call) -

Hours: Monday – Friday 8:00a.m. to 4:00p.m.

Email: [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov)

Finally, the New York State Department of Health's Coronavirus website provides the most up-to-date information related to COVID-19. This website is available at

<https://coronavirus.health.ny.gov/home>.

Thank you again for your continued cooperation and for all you do to maintain New York's standing as the safest large state in the nation.

**NYS Division of Criminal Justice Services (DCJS)  
Office of Program Development and Funding (OPDF)**

[www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov)

[www.facebook.com/nyspublicsafety](https://www.facebook.com/nyspublicsafety)

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***Email from the U.S. Department of Justice – Dated March 16, 2020 – pertaining to federal funded awards and grants.***

**From:** Office of Justice Programs <[ojp@public.govdelivery.com](mailto:ojp@public.govdelivery.com)>

**Sent:** Monday, March 16, 2020 6:15 PM

**To:**

**Subject:** OJP Grantee Update #1 COVID-19 Impacts

Effective Monday, March 16, and until further notice, pursuant to OMB Memorandum M-20-15, dated March 15, 2020, the Department of Justice is moving to a posture of maximum telework in the National Capital Region. Office of Justice Programs (OJP) staff will work remotely and will be available to assist grantees, stakeholders, and the public during this period. Likewise, all OJP systems and services will be available.

Grant Payments: The Grants Payment Request System (GPRS) will remain in service to accept and process grant payment requests.

Programmatic and financial monitoring: Until otherwise notified, all planned on-site monitoring will be conducted as remote monitoring or postponed for a later date. You will be contacted by your OJP grant manager and/or financial staff of OJP's Office of the Chief Financial Officer to make alternative arrangements. If your organization is unable to participate in remote monitoring due to operational limitations, you may request postponement until a later date.

Conferences, events, and other gatherings: For OJP-sponsored conferences, meetings, trainings, and other gatherings that are scheduled in the near term, cooperative agreement recipients should work with their OJP program or grant managers to set up meetings as virtual events or postpone or cancel meetings. For events planned farther out, please work on a case-by-case basis with your grant manager.

Grantees should contact their OJP grant managers to address issues resulting from postponed or canceled meetings, such as using grant funds to cover hotel or travel related cancellation fees and penalties.

Grantees should try to have the airline reimburse the canceled ticket(s) in cash. However, if the airline will only refund the cancellation as a credit:

- The grantee should apply the credit to a future trip for the same OJP grant or project.
- If that is not possible, the grantee should use the credit for another OJP program or project and reimburse the original OJP grant or project with the equivalent dollar amount.
- If neither of those options is possible, then the grantee should process the trip as a cancellation, which OJP approves to be charged to the grant due to this mitigating circumstance.

Grantees should provide similar guidance to subrecipients (that is, subgrantees). Please document these such changes via a Program Office Approval Grant Adjustment Notice (GAN) in OJP's Grant Management System (GMS) for record keeping purposes.

Interruptions in performance of work under the grant: Grantees (and subrecipients/subgrantees) should review the DOJ Grants Financial Guide and the Part 200 Uniform Requirements (2 C.F.R. Part 200, as adopted by DOJ) (see, for example, 2 CFR 200.430 and 2 C.F.R. 200.431, under Subpart E – Cost Principles), and the grantee's (or subrecipient's/subgrantee's) established policies, to help in determining how the grantee's personnel costs may be treated during any period(s) of interruption to the performance of work under the award. You should direct any questions about allowability of costs to your OJP grant manager, or to OJP's Office of the Chief Financial Officer by calling the Customer Service Center at 1-800-458-0786 (TTY: 202-616-3867), or via email at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Award extensions: In accordance with Part 200 Uniform Requirements (2 C.F.R. Part 200, as adopted by DOJ) and consistent with the DOJ Grants Financial Guide, most OJP awards may be eligible for one no-cost extension of up to 12 months. If the grant has previously received a no-cost extension and an additional extension will be requested due to the extenuating circumstances, refer to the DOJ Grants Financial Guide for additional information and consult with your grant manager as needed.

Please note that awards funded by the Office for Victims of Crime (OVC) (or any other OJP bureau/program office) under the provisions of the Victims of Crime Act (VOCA) of 1984, are available during the federal fiscal year of the award, plus the following three fiscal years. OVC and other OJP bureaus/program offices have no discretion to permit extensions of any award's period of performance beyond the statutory period.

Solicitations: Solicitations with application due dates between March 16<sup>th</sup> and March 31<sup>st</sup> will have a 2-week extension for submission. OJP program offices are in the process of updating those due dates now. OJP will continue to monitor the situation and determine if additional adjustments to closing dates will be needed. Grants.gov and OJP's Grants Management System remain open to continue to accept applications.

We will continue to provide updated information on potentially impacted grants activities, including financial and other required reporting. Thank you for your patience during this time. OJP and the Department of Justice appreciate your ongoing commitment to your missions and the safety of all Americans.

*Office of Justice Programs*