



**Commonwealth of Massachusetts
Executive Office of Public Safety & Security
Office of Grants & Research**

Federal Budget Guidelines

Non-Descriptive Combined Costs:

- All costs must be itemized and clearly defined to ensure no unallowable costs are included.
- All project/program budgets must distinguish between, personnel, equipment, supplies, other, etc. as well as identify specific items to be purchased.

Training and Travel Costs:

(includes consultants, trainers, attendees, etc.) must follow federal guidelines by using GSA.gov approved rates using the website: [GSA Website](https://www.gsa.gov)

- For example, the max hotel rate to travel to Boston in September of 2023 is \$309 per night and the traveler must notify the establishment they are travelling on a federal per diem rate.
- The meals and incidentals (M&IE) rate breakdown for the same location and timeframe is \$64/day for a full day and \$48 for 1st and last days of travel.
- All conference attendees must ensure that any provided meal is deducted from their claimed M&IE. For example, if lunch is provided, the recipient must deduct the value of the lunch from the amount of M&IE claimed (even if non-DOJ funds are used to provide the meal).
- Travel costs may include a car service and/or taxi however, should a personal vehicle be used then only the current mileage rate may be used to obtain reimbursement.
- The cost allowed for conference space and audio-visual equipment and services is limited to \$25 per day per attendee not to exceed a cumulative total cost of \$20,000. Total costs are defined as direct and indirect costs. Costs in excess of these established limits require additional justification and approval.
- Include all trainer and speaker fees to ensure costs are reasonable and allowable. If services are procured through a vendor that provides speakers, trainers, etc. then those costs should be placed under contract costs.
- If services are procured and provided by an individual, then that would be considered consultant services. (see Consultant Rates below for more information).

Consultant Rates

- Compensation for ***individual*** consultant services is to be reasonable and consistent with that paid for similar services in the marketplace.
- Each grant-making component periodically establishes a prior approval threshold consultant rate. The current rate for each grant-making component is \$650 per day for an ***8-hour day*** or \$81.25 per hour.
- This limit is specified in the terms and special conditions of the award.
- An 8-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance.
- Please note, however, that this does not mean that the rate can or should be the maximum limit for all consultants.
- **When the rate exceeds the limit for an 8-hour day, or a proportionate hourly rate (excluding travel and subsistence costs), a written prior approval is required from the grant-making component. Prior approval requests require additional justification for exceeding the established maximum rate may include where a rate is established through a competitive bidding process.**

Warranties-Contracts-Licenses-Leases

- Maintenance and/or service contracts that extend the life of the award period are unallowable UNLESS there is no additional cost for the item.
 - For Example: the cost of a portable radio is \$5,000 which includes a 5-year warranty at no additional cost is allowable, however if the price of a radio is \$4,500 and the 5-year warranty is \$500 then that is an unallowable warranty cost.
- Purchasing equipment with a one-year warranty included in the purchase price is allowable, but again, using Byrne JAG funds to purchase extended warranties is unallowable.
- No contracts/bundles that exceed 12 months may be entered into in which the total cost is paid for up front. (i.e.) Taser Certification Bundle for 10 tasers at \$50,000 for a term of 60 months.
- **Rented or leased equipment costs should be listed in “Consultants/Contractors Costs.”**

Equipment/Supplies or Services Estimated to Cost \$10,000 But Not More Than \$50,000

Chapter 30b State Procurement Guide

To procure equipment/supplies or services that are estimated to cost at least \$10,000 but not more than \$50,000 you must solicit written quotes from at least three vendors who customarily provide the item or service you need. As described below, you must provide each vendor with a written description of the supply or service you need, and you must award the contract to the vendor offering the quality of the supply or service you need at the lowest price. The quote process in Chapter 30B is flexible, straight forward and well-suited to making smaller purchases rapidly.

You can use current catalog and sale brochure prices as quotes as long as the product in the brochure or catalog meets your written purchase description. This approach can save time when you are purchasing supplies. You must keep a copy of this information in your procurement file.

Federal Requirements

As an award recipient or sub-recipient, you must conduct all procurement transactions in an open, free, and fair competition. This requirement holds whether procurement transactions are negotiated or competitively bid, and without regard to dollar value." The DOJ Grants Financial Guide further states "In order to avoid unfair competitive advantage, contractors that develop or draft specifications, requirements, statement of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements.

For procurement transactions using Federal award funds, the non-Federal entity must use its own documented procurement procedures consistent with applicable State, local, and tribal laws and regulations, **AND** with the procurement standards in [2 C.F.R. Part 200](#). Procurement procedures must be formally documented by the non- Federal entity and periodically reviewed to ensure compliance with applicable regulations.

Non-Federal entities' procedures must avoid acquisition of unnecessary or duplicative items. Where appropriate, lease versus purchase analysis should be performed as well as other appropriate analysis for determining the most economical method for obtaining items or services. Recipients are encouraged to use Federal excess and surplus property when possible and to enter into inter-agency or inter-governmental agreements where appropriate to procure common or shared goods and services.

Noncompetitive Procurement

Non-Federal entities may use noncompetitive procurement when one or more of the following circumstances apply:

- The item or service is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

- DOJ or the pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or
- After solicitation of a number of sources, competition is determined to be inadequate.

Noncompetitive procurement should be used only when use of competitive solicitation procedures like sealed bids, or competitive proposals are not applicable to the requirement or is impracticable.

Noncompetitive (Sole Source) Procurement Justification Sample Outline

1. Brief description of program and the product or service being procured, to include the expected procurement amount.
2. Explanation of why it is necessary to contract non-competitively, including at least one of the four circumstances listed above. The justification may also include the following contractor qualities:
 - a. Organizational expertise
 - b. Management
 - c. Knowledge of the program
 - d. Responsiveness
 - e. Expertise of personnel
3. Description of and the results of any market survey or research conducted to help determine whether a full and open competition consistent with applicable law could be conducted (or, if no market survey or research was conducted, explain why not).
4. Statement of when contractual coverage is required and, if dates are not met, what impact it will have on the program (for example, how long it would take another contractor to reach the same level of competence). Make sure to include the financial impact in dollars.
5. Other points to “sell the case”.
6. Declaration that this action is in the “best interest” of the grantor agency and/or the Federal Government.
7. Conflict of Interest Review **Note:** Time constraints will not be considered a factor if the award recipient has not sought competitive bids in a timely manner.