



## Office of Crime Victim Services – Grant Programs

### Consultant and Contractual Policy (External)

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#### Summary

Grant recipients may contract for specialized professional services (e.g. psychological or psychiatric consultation, legal services, interpreters), at a rate not to exceed a reasonable market rate, that are not available within the organization.

#### Consultant rates:

The maximum allowable reimbursement rate is \$650 per day, or \$81.25 per hour for a maximum 8-hour workday. Consultants or other providers who are donating the cost of their services as match toward the project are also subject to the \$650 per day or \$81.25 per hour limitation. Prior written approval is required from OCVS for rates above the established maximum threshold rate; such requests will be reviewed on a case-by-case basis.

- Consultant rates should be consistent with current market value for the service.
- The consultant rate agreement file must contain a documented market analysis or justification of the agreed upon rate. Consultant expenditures without this supporting documentation may be questioned during an audit or monitoring review.
- If a grant recipient is utilizing a consultant or contractual service, a copy of the signed agreement must be provided to OCVS for approval prior to execution of the terms of the contract. The agreement must be submitted within 30 days of the grant award, or a signed and awarded Grant Adjustment Notice (GAN)/Modification.

#### What is Required:

- Each agency requesting Consultant/Contractual in their budgets must complete the “Consultant/Contractual Checklist”, either as part of the application or when the agency adds this category through a grant or budget modification. This will also be uploaded into Egrants.
- If a grant recipient is utilizing a consultant or contractual service, a copy of the signed agreement must be provided to OCVS for approval prior to execution of the terms of the contract. The agreement must be submitted within 30 days of the grant award, or a signed and awarded Grant Adjustment Notice (GAN)/Modification.
- Consultant/Contractual agreements must detail the services to be delivered and costs to be covered, the rate of fee for such services, and the total expected cost that the contract will cover.
- For each fiscal report in which consultant/contractual expenses were incurred, the grant recipient must include an itemized invoice and/or receipt of services. The invoice must include the rates, actual hours of service provided, and the nature of the services. Only expenses listed in the consultant/contractual agreement and the grant recipient’s approved budget can be reimbursed.
- Cash or in-kind match of consultant/contractual services must follow the same requirements as listed above.
- Reimbursements will not be made until appropriate documentation is received.

- Grant recipient may be asked to fill out a Conflict of Interest statement.

#### Review Process for Rates Above Maximum Threshold:

Any consultant/contractor rates in excess the federal maximum allowable must be submitted to OCVS prior to acquisition and go through an approval process. As the State Administering Agency (SAA) of federal grant funds, OCVS has the authority and responsibility to approve or deny any rates in excess of the federal limit.

Competitive proposals will be reviewed for allowability and compliance with [2 CFR 200.320](#). OCVS may authorize non-competitive proposals if the service is only available from a single source, a public emergency does not allow for a delay resulting from competitive solicitation, competition is determined inadequate after solicitation of a number sources, or a written request from a grant recipient is submitted. The following are examples that may qualify as justification, as listed in the Consultant/Contractual Checklist:

- Results of market research for that conclude that the rate is reasonable and consistent for an individual consultant/contractor.
- A resume or curriculum vitae (CV) for each individual consultant/contractor whose rate exceeds \$650 per day.
- Documented prior instances when a similar rate has been charged by or paid to the individual consultant/contractor.
- If the individual consultant/contractor is not self-employed and has a primary employer, documentation showing that the requested daily rate is proportionate to the consultant's regular salary (e.g. pay stubs, letter from employer, etc.).
- Any other important information about the individual consultant/contractor such as letters of reference; lists of any relevant publications, papers, or honors; advanced experience as a practitioner or academic in the subject area; advanced training relating to the focus of the project; and/or any unique circumstances which they feel should be considered.

#### Consultant/Contractual over federal rate:

- Grant Specialists will do an initial review of the agreement for allowable services and rates and enter information into the tracker.
- Financial Grants Specialists will ensure that the Consultant/Contractual Checklist is completed, and all necessary documentation is provided.
- Both the Grant Specialist and Financial Grants Specialist will either approve or deny the request to exceed the federal rate, and sign the Checklist.
- The Director of Grant Programs will also sign the Checklist.
- The Financial Grant Specialist will notify the grant recipient if the agreement and checklist have been approved or denied, and attach the signed checklist in the communication for their records.