



National Institute of Justice

S o l i c i t a t i o n

March 2001

Convicted Offender DNA Backlog Reduction Program (FY2001)

APPLICATION DEADLINE:

April 20, 2001

U.S. Department of Justice
Office of Justice Programs
810 Seventh Street N.W.
Washington, DC 20531

For grant and funding information, contact:
Department of Justice Response Center
800-421-6770

Office of Justice Programs
World Wide Web Site:
<http://www.ojp.usdoj.gov>

National Institute of Justice
World Wide Web Site:
<http://www.ojp.usdoj.gov/nij>

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Convicted Offender DNA Backlog Reduction Program (FY 2001)

PLEASE NOTE! CHANGES IN APPLICATION PROCESS

- Privacy Certificate—requirements have been revised
- Protection of Human Subjects—**new form** (310) required
- National Environmental Policy Act—there is a compliance advisory
- Items 10 (Catalog of Federal Domestic Assistance number) and 12 (Geographic Areas Affected by Project—**new form**) of the SF 424 (Application for Federal Assistance)—there are now full instructions for completing these items.

For complete information about these changes, consult the *Guidelines for Submitting Proposals for National Institute of Justice-Sponsored Research*

I. Introduction

The Convicted Offender DNA Backlog Reduction Program is designed to provide funding to reduce States' backlog of unanalyzed convicted offender DNA samples. The objective of this program is to rapidly accelerate the analysis of the convicted offender samples collected by the States in order to provide CODIS compatible data for all 13 CODIS core STR loci for State and national DNA databases so that law enforcement is provided with critical investigative information in a timely manner.

This solicitation permits vendor laboratories and State laboratories choosing to analyze their own convicted offender samples to apply to the National Institute of Justice (NIJ) for approval to participate in this program. Vendor laboratories that meet the Minimum and Technical Requirements listed in Section III are encouraged to apply. These vendor laboratories should complete the Cost Proposal (Appendix J) as well as indicate the number of samples that they can process in one year and the corresponding funding level when establishing the Federal funding request from NIJ.

It is anticipated that multiple vendor laboratories will be selected for this program.

This year's solicitation will also permit qualified State laboratories to perform the analysis of their own collected convicted offender DNA samples in-house. Only State laboratories that are qualified and can meet the requirements listed in the "Requirements for State Laboratories for In-House Analysis, Section IV," will be eligible for this option. All awards to States that perform analysis of their own convicted offender samples will be based on the price per sample cost for which they can process samples in-house.

The objective of this solicitation is to encourage proposal submissions from vendor laboratories and from States' wishing to analyze their own samples. All convicted offender samples, whether outsourced to a vendor or analyzed by the State laboratory in-house, will be analyzed with STR technology for all 13 CODIS core loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, TH01, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** using PCR kits accepted by the National DNA Index System (NDIS) and will be reported in a CODIS compatible format so that the resulting DNA profiles can be entered into the State and national DNA databases.

II. Solicitation of Proposals

NIJ seeks proposals from vendor laboratories to perform STR analysis on the convicted offender DNA samples collected by various States. Vendor laboratories should complete the Cost Proposal (Appendix J) and determine their request for funding by multiplying the maximum number of samples they can analyze in one year by their cost per sample at that volume, but not exceeding the maximum funds available under this program.

States wishing to receive grants to conduct in-house analysis of their samples must comply with all standards listed in the "Requirements for State Laboratories for In-House Analysis, Section IV." In order to determine funding, States shall be required to report the number of convicted offender samples collected as of March 30, 2001, projected to be collected by June 30, 2001, and the number of these samples that have already been analyzed with the 13 CODIS core STR loci in the Table of Convicted Offender Samples (Appendix D). The funding level will be determined by multiplying the number of eligible samples by the States in-house per sample cost. Please note that any samples previously analyzed with STR technology are not eligible for funding.

The awards will be for an initial term of 12 months.

III. Minimum and Technical Requirements for Vendor Laboratories

Minimum Requirements - Laboratories shall satisfy the following minimum requirements in order to respond to this Solicitation. The laboratory should sign the Certified Statement of Compliance (Appendix L) regarding their compliance with the following minimum requirements and indicate in their Program Narrative how they meet or exceed each of these requirements.

1. The Laboratory shall perform the requested DNA analyses to satisfy or exceed current standards for the quality assurance program for DNA analysis,

issued by the Director of the Federal Bureau of Investigation pursuant to the DNA Identification Act of 1994, entitled *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories*. **The Laboratory shall provide a certification (Appendix L) that it shall perform the requested DNA analyses in accordance with the *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories*. (Appendix A)** Accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or certification by the National Forensic Science Technology Center (NFSTC) for compliance with the FBI Director's quality assurance standards is required. Loss of such accreditation or certification status during the award period may be grounds for termination of the award designation.

2. **At the time of submission of the Laboratory's response to this Solicitation**, the Laboratory shall have the capabilities/capacity in place for the analysis of a minimum of 4000 convicted offender samples a month. The Laboratory shall have the ability to analyze and report back the results of the analysis of the convicted offender samples to the submitting State within 30 days of receipt of the samples. **The Laboratory shall provide a Certified Statement of Capabilities/Capacity attesting to the Laboratory's minimum analysis capacity (Appendix L).** An inspection of the Laboratory's facilities may be conducted by an evaluation team prior to issuing awards to laboratories for this program.

3. The Laboratory shall analyze all samples for the 13 CODIS core STR loci - FGA, vWA, D3S1358, CSF1PO, TPOX, TH01, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539 - in accordance with the Federal Bureau of Investigation's *NDIS Standards for Acceptance of DNA Data (Appendix B)*. **The Laboratory shall provide a certification (Appendix L) that it shall perform the analyses for all 13 CODIS core STR loci in accordance with the *NDIS Standards for Acceptance of DNA Data*.**

4. The Laboratory shall participate in an external proficiency testing program from a test provider that has been approved by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). The Laboratory shall complete the proficiency tests in the appropriate time frame. **The Laboratory shall provide a Certified Statement of Compliance (Appendix L) and attach the Laboratory's most recent proficiency test results as well as documentation of the Laboratory's timely completion of such tests.** The Laboratory should also include documentation of any failed proficiency tests and the remediation that was done to resolve the issue. Less than successful completion of proficiency tests during the award period may be grounds for termination of the designation by NIJ to receive States=convicted offender samples.

5. The Laboratory and each analyst performing DNA analyses at the Laboratory shall undergo semiannual external proficiency testing by a proficiency testing program that meets the standards issued under section 210302 of the DNA Identification Act of 1994. **Copies of the most recent proficiency testing results for each analyst, that may participate in this program, which include name, date of test, manufacturer, platform used, kits used, copies of the paperwork submitted to the manufacturer and their results shall be provided with the response to the Solicitation.**

6. Upon request by NIJ, the NIJ evaluation team or a State seeking to outsource its convicted offender samples in accordance with this program, the Laboratory shall make its protocols and procedures for the STR analysis of the convicted offender samples, as well as its validation documentation, available for review and inspection by NIJ, the NIJ evaluation team or the State.

7. The Laboratory shall permit an on-site visit or inspection of the Laboratory facility and records prior to award to verify compliance with all minimum requirements. NIJ reserves the right for NIJ or other designated persons to conduct unannounced on-site visits throughout the award period to ensure continued compliance with all minimum and technical requirements.

Technical Requirements - Laboratories shall respond to this Solicitation in accordance with the following technical requirements.

1. The Laboratory shall not subcontract the convicted offender samples submitted by a State to any other laboratory.
2. The Laboratory shall supply all equipment and materials necessary to comply with the analysis of the convicted offender samples using the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539.** Convicted offender samples may be submitted by the States in the following formats: (1) whole blood in tubes that the Laboratory will be required to stain onto cotton fabric, 903 S&S paper, FTA paper or other form acceptable to the submitting State; (2) dried blood samples on cotton fabric, 903 S&S paper or FTA paper; or (3) buccal swabs.
3. The Laboratory shall only use approved STR analysis kits as specified in the *NDIS Standards for Acceptance of DNA Data*. The Laboratory shall use any of the following analytical platforms: ABI PRISM® 310 Genetic Analyzer, ABI PRISM® 377 DNA Sequencer, ABI PRISM® 3100 Genetic Analyzer, ABI PRISM® 3700 DNA Analyzer, Hitachi FMBIO® 100, Hitachi FMBIO® II Fluorescence Imaging System, or Hitachi FMBIO® IIe Fluorescence Imaging System as specified by the State. **The Laboratory shall identify in their response to the Solicitation the NDIS approved PCR kits and the analytical platform that will be used in the analysis of the convicted offender samples.**
4. The Laboratory shall be responsible for the shipping of samples to and from the submitting State as well as the results of all the analyses. The method of shipping shall provide proper conditions to protect the integrity of the samples, safeguard the chain of custody, assure timeliness and provide the ability to track all shipments. The shipping method selected by the Laboratory shall be subject to the approval of the State submitting convicted offender samples, which approval shall not be unreasonably withheld.
5. Chain of custody is of paramount concern to the States submitting convicted offender samples. The chain of custody for samples and the resulting data shall be documented to include sample receipt by the

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Laboratory, as well as processing, typing and returning convicted offender blood samples and resulting data back to the submitting State. **The Laboratory shall describe in their response to this Solicitation how such convicted offender samples and the resulting data will be processed and tracked in order to ensure a proper chain of custody.**

6. The Laboratory acknowledges that the convicted offender samples, the results of a DNA analysis and the comparison of analytic results are made confidential by almost all States, and will treat such information with due care to prevent improper disclosure. Under many State laws, the unauthorized disclosure of DNA records or the results of a forensic DNA test or analysis and tampering or attempted tampering with a DNA sample are crimes. The Laboratory shall protect the confidentiality of all records and other materials that are maintained in accordance with this program. The Laboratory shall have written policies governing access to, duplication and dissemination of all such information. The Laboratory shall limit access to the convicted offender samples and analyses only to those employees requiring access for performance of this program and shall advise those employees of the strict confidentiality requirements relating to these convicted offender samples and analyses.

7. In the event a match is made between an unsolved casework DNA profile and one of the convicted offender samples analyzed by the Laboratory, the Laboratory agrees to provide testimony in subsequent legal actions, if needed. The Laboratory agrees that no future costs will be incurred by NIJ or a State/local laboratory such as travel, expert witness fees or duplication of data due to a subpoena by the prosecution or defense in a criminal case or other compelled appearance or production of records.

8. STR data shall be generated for the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, TH01, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539.**

(a) The analysis of a specimen shall not be considered complete until genotypes for all 13

CODIS core STR loci have been generated and accepted by the submitting State.

- (b) The genotypes shall be compiled in the common message format for insertion into the FBI's Combined DNA Index System (CODIS) and transmitted in electronic form on CD-ROM or Zip disks, at the discretion of the submitting State.
- (c) All extraction, amplification, gel data sheets (including StaRcall spreadsheets, original gel scans and the final gray scale/color corrected gel images) and electropherogram data are to be returned to the submitting State. All instrument data collection files and files generated in the analysis of the samples shall also be returned to the submitting State on CD-ROM or Zip disks, at the discretion of the submitting State.
- (d) All unused sample portions are to be returned to the submitting State. Excess DNA extract shall be stored frozen until such time that the Laboratory can return the samples to the submitting State. Amplified DNA shall be retained at the Laboratory until appropriate quality assurance review has been completed by the submitting State. After such review, the amplified DNA shall be destroyed and certification of such destruction provided to the submitting State.
- (e) Any quality control or quality assurance data, if not archived at the Laboratory, is to be returned to the submitting State.
- (f) **Ownership of all data, materials and documentation originated and prepared for the submitting State pursuant to this program shall belong exclusively to the submitting State.**
- (g) The cost of CD-ROM or Zip disks and the shipping of such data shall be included by the Laboratory in the proposed cost per sample of completed analysis

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9. The Laboratory shall monitor analytical procedures by using appropriate controls and standards on each gel or run :

- (a) A positive amplification human DNA control.
- (b) Allelic ladders
- (c) A negative amplification control and reagent blank.
- (d) In-lane size standard, as appropriate.

10. Analysis of a convicted offender DNA sample shall not be considered complete until the allele designations have been determined for all of the 13 CODIS core STR loci. The laboratory will provide complete analysis for the submitting State and/or identify such complete analysis to the submitting State in a format acceptable to the State. In other words, in instances in which the Laboratory chooses to reanalyze a sample, the Laboratory will either provide only the final accepted analysis to the submitting State or identify such correct and complete analysis so that the submitting State will not be reviewing incomplete or nonfinal analyses.

- (a) Such allele designations shall be in the proper form for insertion into CODIS software.
- (b) Ladders and controls shall yield acceptable results.

11. In the event that the analysis fails for a particular convicted offender sample, additional portions of that sample shall be provided to the Laboratory, whenever necessary.

12. The submitting State shall conduct quality control of the Laboratory's analyses by either retesting quality assurance samples within their State laboratory, contracting out the retesting of these convicted offender samples, or submitting blind samples to the vendor laboratory for analysis. The number of these quality assurance samples shall not exceed 10% of the total submitted. If results of this retesting indicates a discrepancy, further submission and testing by the Laboratory shall be halted until

resolution, with no additional expenses for analysis necessary to resolve the discrepancy.

13. The Laboratory shall notify NIJ and the submitting State of any problems in testing immediately upon discovery.

IV. Requirements for State Laboratories for In-House Analysis

A. Eligibility for State Laboratories to Perform In-House Analysis

1. Eligible applicants must be State governments. For those States in which a local laboratory has responsibility for the analysis of the convicted offender samples, the application shall be submitted by the State government agency having oversight of the DNA database program. Also, accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or certification by the National Forensic Science Technology Center (NFSTC) for compliance with the FBI Director's quality assurance standards is required for the State laboratory performing the analysis. Loss of such accreditation or certification status during the award period may be grounds for termination of the award designation

2. States shall comply with the mandatory program and State match requirements specified in this section of the Solicitation. For example, States that are performing forensic DNA analysis responding to this Solicitation shall be in compliance with the DNA Identification Act of 1994 (Appendix C) specifically with respect to compliance with the *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories* (Appendix A) and the proficiency testing requirements for participation in the National DNA Index System (NDIS). **To be eligible for funding under this Solicitation, States must be participants in the National DNA Index System (NDIS) or must have applied to participate in NDIS as of March 30, 2001.**

3. States shall already have in place high capacity DNA analysis procedures that will allow them to reduce their backlog by a minimum of one twelfth

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each month during the award period. A State should have a **minimum of a 10,000 sample backlog** in order to request funding for in-house DNA analysis (**nb: minimum analysis of approximately 850 samples per month**- considered high capacity for State laboratories for the purpose of this solicitation). In order to determine the State's backlog, the State should use the number of samples eligible for funding which were collected as of March 30, 2001 and/or projected to be collected as of June 30, 2001. **Also, the State laboratory's in-house cost per sample shall be similar or less than typical vendor bids for similar volumes.**

4. During the 12 month award period, States will be required to conduct DNA analysis (in-house or by outsourcing) on a number of unknown suspect cases (cases in which biological evidence is available but for which no suspect has been identified) equal to at least 1.0 % of the total number of convicted offender samples for which an award was issued as a State match. States unable to demonstrate that this 1.0% State match for DNA analysis of unknown suspect cases has been conducted and entered into their State Forensic DNA database at the conclusion of the program shall not be eligible for similar funding in future years. Please note that the unknown suspect cases that do not produce results suitable to be entered into CODIS after DNA analysis was conducted will still apply to a State's 1.0% State match requirement.

B. Program Requirements for State Laboratories - States shall comply with the following mandatory requirements in order to be eligible to participate in this program:

1. States who receive funding to conduct in-house analysis of their convicted offender samples shall follow the same technical requirements that apply to the vendor laboratories in this solicitation.
2. States who receive funding to conduct in-house analysis of their convicted offender samples shall begin analysis of their samples within one hundred and twenty (120) days of receipt of notification of their award by NIJ. The first batch of samples

should be completed within thirty (30) days of beginning analysis.

3. States shall be required to upload a batch of samples equal to at least one twelfth of their stated backlog every month during this award. Any variations must first be approved by NIJ. The State's backlog will be the number of samples that are eligible for funding, which should be determined by totaling the number of samples collected as of March 30, 2001 and/or the number of samples projected to be collected by June 30, 2001.

4. The State shall conduct quality assurance of their own samples and the number of these quality assurance samples shall not exceed 10% of the total convicted offender samples for which funding was awarded. **Federal funds may be used for this purpose. See Table 1 in Appendix D.** During the award period, the State shall immediately report to NIJ any discrepancies in the quality assurance of their convicted offender analyses.

5. States performing in-house forensic DNA analysis on their convicted offender samples shall be in compliance with the current standards for the quality assurance program for DNA analysis, issued by the Director of the Federal Bureau of Investigation pursuant to the DNA Identification Act of 1994, entitled *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories* (Appendix A). The State laboratory shall analyze their convicted offender samples for all of the 13 CODIS core loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** - in accordance with the Federal Bureau of Investigation's *NDIS Standards for Acceptance of DNA Data* (Appendix B). The State agrees that the data generated by their laboratory, once the appropriate quality assurance of the samples has been completed, will be expeditiously uploaded into CODIS, their State DNA database, and NDIS.

(a) The genotypes generated by the State shall be in the common message format for insertion into the FBI's Combined DNA Index System (CODIS), (Appendix F).

6. States participating in the program are required to report to NIJ in the format specified by the **CODIS Hit Counting Guidelines** (Appendix G) any hits relating to the convicted offender samples analyzed as a result of funding provided under this program. Such reporting shall occur within thirty (30) days of the occurrence of such a hit.

C. State Match Requirements for State Laboratories - States shall comply with the following mandatory requirements in order to be eligible to participate in this program:

1. States receiving an award under this program shall be required to conduct DNA analysis, in-house or by outsourcing, on at least 1.0 % of the total number of convicted offender samples for which an award was received under this program in unknown suspect cases (cases in which biological evidence is available but for which no suspect has been identified) during the 12 month term of the award. The DNA analysis of these unknown suspect cases shall be with STR technology, specifically with as many of the 13 CODIS core loci that are validated in the State’s laboratory system - **FGA, vWA, D3S1358, CSF1PO, TPOX, TH01, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539**. The State agrees that the unknown suspect casework resulting data will be expeditiously uploaded into CODIS, their State DNA database, and NDIS.

2. States unable to demonstrate that this 1.0% number in unknown suspect cases has had DNA analysis conducted and has been entered into their State DNA database at the conclusion of the program will not be eligible for similar funding in future years. Please note that the unknown suspect cases that have DNA analysis conducted but do not produce results suitable to be entered into CODIS will still apply to a State’s 1.0% State match requirement.

3. States receiving an award under this program shall report to the National Institute of Justice (NIJ), in the format specified by the “CODIS Hit Counting Guidelines,” any hits relating to the unknown suspect cases analyzed as part of the State Match required

under this program. Such reporting shall occur within thirty (30) days of the occurrence of such hit.

4. States participating in the program are required to describe in their Program Narrative how they will include the unknown suspect cases from local laboratories in their State, if applicable.

V. Restrictions and Limitations on Use of Funds

The Federal funding provided to vendor laboratories under this program shall only be used for the STR analysis of convicted offender samples from States approved by NIJ to participate in the DNA Backlog Reduction Program FY2001.

Funding will also be provided to State laboratories that have demonstrated the ability to meet all listed requirements in this solicitation for the in-house analysis of their own convicted offender DNA samples.

No single award to a State or vendor laboratory shall exceed the \$8 million allocated for this program.

VI. How to Apply

Those interested in submitting proposals in response to this solicitation must complete the required application forms and submit related required documents. (See below for how to obtain application forms and guides for completing proposals.)

Applicants must include the following information/forms and submit them in the following order to qualify for consideration:

- Standard Form (SF) 424—application for Federal assistance
- **Geographic Areas Affected Worksheet NEW FORM**
- Assurances
- Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (one form)

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- Disclosure of Lobbying Activities
- Budget Detail Worksheet
- Budget Narrative
- *Negotiated indirect rate agreement* (if appropriate)
- Names and affiliations of all key persons from applicant, advisors, consultants, and advisory board members.
- Proposal abstract
- Table of contents
- Program narrative or technical proposal
- **Privacy certificate REVISED**
- **Form 310 (Protection of Human Subjects Assurance Identification/ Certification/ Declaration) NEW FORM**
- **Environmental Assessment (if required) NEW**
- References
- Résumés
- Appendixes, if any (e.g., list of previous NIJ awards, their status, and products [in NIJ or other publications])
- Program Assurances (State Labs Only, Appendix E)
- State Match Assurances (State Labs Only, Appendix E)
- Statutory Assurances (Appendix M)
- Federal Funds Certification (State Labs Only)
- Table of Convicted Offender Samples (State Labs Only, Appendix D)
- **Cost Proposal (Vendor Labs Only, Appendix J)**
- Certified Statement of Compliance (Vendor Labs Only, Appendix L)

Applying. Two packets need to be obtained: (1) application forms (including a sample budget worksheet) and (2) guidelines for submitting proposals (including requirements for proposal writers and requirements for grant recipients). To receive them, applicants can:

- Access the Justice Information Center on the Web: <http://www.ncjrs.org/fedgrant.htm#nij> or the NIJ Web site: <http://www.ojp.usdoj.gov/nij/funding.htm>.

These Web sites offer the NIJ application forms and guidelines as electronic files that may be downloaded to a personal computer.

- Request hard copies of the forms and guidelines by mail from the National Criminal Justice Reference Service at 800–851–3420 or from the Department of Justice Response Center at 800–421–6770 (in the Washington, D.C., area, at 202–307–1480).
- Request copies by fax. Call 800–851–3420 and select option 1, then option 1 again for NIJ. Code is 1023.

Guidance and information. Applicants who wish to receive additional guidance and information may contact the U.S. Department of Justice Response Center at 800–421–6770. Center staff can provide assistance or refer applicants to an appropriate NIJ professional.

Additional information on the specific forms and narratives follow.

Standard Form 424 Application for Federal Assistance

Refer to the instructions that download with the grant applications document for items 1-18. **Below are answers to specific items that should be used while filling out the SF424.**

Item 9 - Name of Federal Agency: Type in "National Institute of Justice."

Item 10 - Catalog of Federal Domestic Assistance Number: For this Program, the number is 16.564 and the title is DNA Backlog Reduction Program FY2001.

Item 11 - Descriptive Title of Applicant's Project: Type in "DNA Backlog Reduction Program FY2001"

Item 13 - Proposed Project Dates: Fill in the dates during which you anticipate the project will operate - for this program, it should be July 1, 2001 to June 30, 2002

Item 15 - Estimated Funding: Vendor laboratories should complete the cost proposal (Appendix J) and should determine their request for funding for line (a)

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by multiplying the maximum number of samples they can analyze in one year by their cost per sample at that volume making sure not to exceed the maximum funds available under this program. For State laboratories who choose to perform analysis of their own convicted offender samples in-house, multiply the number of offender samples for which you are requesting funding by your in house cost per sample and insert the total on line (a), not to exceed the dollar amount allocated in the program announcement. Enter the total from Line (a) into line (g) as the total.

Federal Funding Certification

For State laboratories only. Please include a statement that Federal funding made available under this program will not be used to supplant State or local funds and have this signed by the head of the agency.

Privacy Certificate and Human Subjects Protection

Confidentiality of information and human subjects protection. NIJ has adopted new policies and procedures regarding the confidentiality of information and human subjects protection. Please see the *Guidelines for Submitting Proposals for National Institute of Justice-Sponsored Research* for details on the new requirements

Budget Detail Worksheet (OJP Form 7150/1)

Each application must contain a completed copy of the Budget Detail Worksheet.

Vendors use Section H. “Other Costs” to indicate the number of samples they could analyze under this program in a 12 month period multiplied by their cost. This will establish the amount of Federal funding the laboratory can request making sure not to exceed the amount of funds available for this program.

State Laboratories use Section H. “Other Costs” to indicate the number of samples they are

requesting funding for multiplied by their in-house cost per sample. This will determine the amount of Federal funding the laboratory can request making sure not to exceed the amount of funds available for this program.

Abstract

Each application must contain a brief synopsis of the program which should be no longer than one page.

Program Narrative Instructions for Vendor Laboratories

Each application must contain a completed Program Narrative that provides the following information: (A PROGRAM NARRATIVE MODEL FORMAT FOR VENDOR LABORATORIES IS PROVIDED IN APPENDIX K)

A. Introduction:

1. Applicant Information. Please provide the name, address, point of contact, telephone, fax, and e-mail address for the applicant agency.
2. Brief corporate/business history: including general mission statement, number of employees, financial capacity and capabilities to successfully complete the services specified in this Solicitation and brief history of experience performing forensic DNA STR analyses, specifically involving convicted offender samples.

B. Technical Proposal

1. This section shall describe the Laboratory’s approach and plans for accomplishing the requirements specified in the Solicitation. The Laboratory shall address all of the minimum and technical requirements, and include detailed plans for the Quality Assurance, Quality Control, Proficiency Testing, Chain of Custody and Confidentiality Procedures requirements.

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The Laboratory shall include a description of their proposed Project Management as well as the organizational structure for the project and experience in performing similar projects. The Laboratory shall include their specific plans to manage, control and supervise the project in order to insure satisfactory program completion in accordance with the required turn around times. The Laboratory shall describe the individuals to be assigned to this program as well as the individuals function and role in the program and include their resumes that should emphasize relevant qualifications and experience in completing programs of a similar size and scope.

C. Reference Information:

References shall be contacted and are part of the evaluation criteria.

The Laboratory shall provide two references from companies or public agencies not affiliated with the Laboratory. At least one of these references, but preferably more, shall currently be using the Laboratory's services for STR analysis for identification purposes. Emphasis should be placed on projects that are very similar in size and scope to those required by this Solicitation in order to document the Laboratory's ability to complete the services required by this Solicitation. Please provide the company/agency name, dates of service, address, a contact name, telephone number, fax and E-mail address, if available.

D. Cost Proposal:

The Cost shall be provided on a per sample basis using the cost proposal sheet provided in Appendix J. Laboratories will be expected to hold prices firm for a minimum of ninety (90) days from submission of their response to this Solicitation in order that the evaluation can be conducted and award(s) made.

Program Narrative Instructions for State Laboratories

Each application must contain a completed Program Narrative that provides the following information:

1. Applicant Information. Please provide the name, address, point of contact, telephone, fax, and e-mail address for the applicant agency.
2. Please provide a brief summary of your State's DNA database program, including the method and manner of collection, agencies responsible in the State for collection activities, **current capabilities** within the State to perform forensic DNA analysis, average annual workload/caseload, if applicable, and whether the offender is charged a fee for the collection/analysis of the DNA sample. If your State currently performs forensic DNA analysis, please describe the facility(ies) and staff, including accreditation and certification status. This summary should not exceed two pages.
3. Please provide a plan of how your State will include the unknown suspect cases from other local laboratories, if applicable in your State, in the 1.0% of unknown suspect cases required to be analyzed as the State Match. Please provide a certification of the participating local laboratories in the proposed plan. Also indicate the definition that your agency uses to identify an unknown suspect case.

VIIa. Award/Evaluation Criteria for Vendor Laboratories

All responses will be reviewed by an evaluation panel selected for their operational expertise as well as their knowledge in the substantive areas covered by this Solicitation. The panel's evaluations will be presented to the Director of NIJ, who will make the final award decision. The evaluations will be based upon the following criteria:

A. Quality Assurance

- Compliance with the FBI Director's *Quality Assurance Standards*;
- Successful Completion of Proficiency Testing Requirements;
- Appropriate Protocol for Troubleshooting; and

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- Compliance with all Minimum and Technical Requirements.

The on-site visit/inspection will be used to confirm use of the *Quality Assurance Standards*, proper documentation and compliance with the Minimum and Technical Requirements.

B. Sample Handling and Security

This category shall be evaluated on the chain of custody or sample inventory system used to track samples from receipt in the Laboratory to the return to the submitting State. Additionally, the measures taken to ensure confidentiality of the samples and analyses will be evaluated. The on-site visit/inspection will be used to confirm the procedures.

C. References/Current Capacity

This category shall be evaluated on reliability, testing accuracy, and customer satisfaction. At least one of these references, but preferably more, shall currently be using the Laboratory's services for the STR analysis of samples for identification purposes.

The on-site visit/ inspection will be used to confirm the Laboratory's current capabilities/capacity as well as contact with the references.

D. Cost (to be considered, if necessary)

Provision of required services, inclusive of:

- i) Personnel and fringe benefits;
- ii) Shipping/transportation of convicted offender samples to and from the submitting State;
- iii) Supplies necessary for the analysis of the samples, including reagents and STR kits;
- iv) Supplies necessary for the preparation and return of analysis results to the submitting State, including CD-ROMs and Zip disks; and

- v) Management or other administrative overhead.

Cost shall be quoted per sample and on the cost proposal sheet provided in Appendix J.

E. Responses by State Laboratories to NIJ's Market Research Poll

A Market Research Poll will be sent to all State laboratories. Those States which are eligible to apply to NIJ for funding to outsource their convicted offender samples, should list any vendor laboratory currently analyzing samples for that State as well as their vendor laboratory preference which may be used in determining which vendors are selected to participate in this program and their final awards.

VIIb. Award Criteria for State Laboratories applying for In-House Analysis

All responses will be reviewed by an evaluation panel selected for their operational expertise as well as their knowledge in the substantive areas covered by this Solicitation. The panel's evaluations will be presented to the Director of NIJ, who will make the final award decision. If a State is determined to be eligible, the amount of the award will be based upon the number of convicted offender samples that have been collected as of March 30, 2001 and/or samples estimated to be collected as of June 30, 2001, but not analyzed with STR technology.

According to the numbers recorded in Table 1 (Appendix D):

Formula for States requesting funding for in house analysis under this program:

Column 5 + Column 6 x In-House Cost per sample
= Maximum Amount of Award.

VIII. Administrative Requirements

In the event that it becomes necessary to revise, modify, clarify or otherwise alter the

S o l i c i t a t i o n

Solicitation, revisions will be made in the form of addenda to this Solicitation. All addenda to the original Solicitation become part of this Solicitation and shall become part of the final award resulting from this Solicitation.

1. NIJ is not liable for any cost incurred by a Laboratory in preparation for or prior to the approval of a Laboratory for this program.

2. NIJ reserves the right to the following:

(a) Amend the Solicitation specifications to correct errors or oversights, and to supply additional information as it becomes available. All Laboratories who have received this Solicitation will be supplied with all addenda or additional information issued.

(b) Make typographical corrections to responses to the Solicitations, with the concurrence of the Laboratory.

(c) Request clarification and/or additional information from Laboratories responding to this Solicitation.

(d) Change any of the scheduled dates stated herein with written notice to all Laboratories who have received this Solicitation.

(e) Disqualify responses to this Solicitation that fail to meet minimum and technical requirements.

(f) Select more than one vendor laboratory for each analytical platform, if in the best interests of the Federal government and the States, to provide sufficient capabilities to have the nation's collected convicted offender samples analyzed.

(g) Coordinate with the vendor laboratories selected, if necessary, to modify the required turn around times in the event that more than one State plans to submit their convicted offender samples during the same time period.

3. Public announcements or news releases pertaining to the selection of the Laboratory for this program

contract shall not be made without the prior written approval of NIJ.

4. Single Point of Contact Review for State Laboratories. Executive Order 12372 requires applicants from State government to submit a copy of the application to the State Single Point of Contact (SPOC) if an SPOC exists and if the program has been selected for review by the State. Applicants must contact their SPOC to determine if the program has been selected for review by the State. A list of SPOCs is provided in Appendix H. The date that the application was sent to the SPOC or the reason such submission is not required should be entered in item 16 on the Application for Federal Assistance, SF 424.

5. Coordination with State Formula Grant Program for State Laboratories. A copy of the application must also be submitted to the State office that administers the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program. A list of State offices is provided in Appendix I.

IX. Audit Requirements

State governments are governed by the Single Audit Act of 1984 and the Office of Management and Budget (OMB) Circular A-128, **Audits of State and Local Governments.**[®] The type of audit required under this circular is dependent upon the amount of Federal funds received. Applicants are required to identify when the agency's fiscal year begins and ends and provide the name of the agency's cognizant Federal agency. This information may be provided in the Program Narrative section of the application.

A. Certification required by the DNA Identification Act of 1994. Each applicant must provide the signed certification required by the Act. A certification form (**AStatutory Assurance**)[®] is included as Appendix M.

X. Monitoring

Each grant awarded under this Solicitation will be monitored according to OJP Handbook 4500.2C (Revised Chapter 7 Monitoring).

XI. Suspension or Termination of Funding

NIJ may suspend, in whole or in part, or terminate funding for a grantee for the following reasons:

Failure to conform to the requirements or statutory objectives of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Failure to comply with the requirements of the DNA Identification Act of 1994 (Public Law 103-322), regulations promulgated thereunder, or with the terms and conditions of its grant award.

Failure to comply with the Program and State Match Requirements of this award.(State Labs Only)

Prior to suspension of a grant, NIJ will provide reasonable notice to the grantee of its intent to suspend the grant and will attempt informally to resolve the problem resulting in the intended suspension. Hearing and appeal procedures for termination actions are set forth in Department of Justice regulations in 28 CFR Part 18.

XII. Award Period

Awards under this program are issued for a period of 12 months.

XIII. Award Amount

A total of approximately \$8 million may be available under this Solicitation for the STR analysis of convicted offender samples nationwide and the quality assurance program for those samples. Actual awards are based upon the evaluation of the responses received and the needs of the submitting States.

XIV. Due Date

An original plus ten (10) copies of fully executed responses must be received by NIJ by the close of business on **April 20, 2001**. Extension of this deadline shall not be permitted.

Applications submitted via facsimile will not be accepted.

Applications must be sent to the following address:

Solicitation for the Convicted Offender DNA Backlog Reduction Program FY2001
National Institute of Justice
Office of Science & Technology
810 7th Street, N.W., 7th Floor
Washington, D.C. 20531*

*If shipping other than U.S. Mail, please use Zip Code 20001.

XV. Contact

Applicants are encouraged to contact NIJ to discuss questions concerning this Solicitation before submitting their proposals. Questions may be requested to be submitted in writing for documentation or clarity. To obtain further information, applicants may contact Dr. Lisa Forman, at the above address, by phone at (202) 307-6608 or by e-mail at formanl@ojp.usdoj.gov. Applicants may also contact the U.S. Department of Justice Response Center at (800) 421-6770 or (202) 307-1480 for general information.

<p>This document is not intended to create, does not create, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any manner civil or criminal.</p>

SL000472

APPENDIX C

*Relevant Provisions from
the DNA Identification Act of 1994*

Relevant Provisions of the DNA Identification Act of 1994, as amended

§ 14132. Index to facilitate law enforcement exchange of DNA identification information

(a) Establishment of index

The Director of the Federal Bureau of Investigation may establish an index of--

- (1) DNA identification records of persons convicted of crimes;
- (2) analyses of DNA samples recovered from crime scenes;
- (3) analyses of DNA samples recovered from unidentified human remains; and
- (4) analysis of DNA samples voluntarily contributed from relatives of missing persons.

(b) Information

The index described in subsection (a) of this section shall include only information on DNA identification records and DNA analyses that are--

- (1) based on analyses performed by or on behalf of a criminal justice agency (or the Secretary of Defense in accordance with section 1565 of title 10, United States Code) in accordance with publicly available standards that satisfy or exceed the guidelines for a quality assurance program for DNA analysis, issued by the Director of the Federal Bureau of Investigation under section 14131 of this title;
- (2) prepared by laboratories, and DNA analysts, that undergo semiannual external proficiency testing by a DNA proficiency testing program meeting the standards issued under section 14131 of this title; and
- (3) maintained by Federal, State, and local criminal justice agencies (or the Secretary of Defense in accordance with section 1565 of title 10, United States Code) pursuant to rules that allow disclosure of stored DNA samples and DNA analyses only--
 - (A) to criminal justice agencies for law enforcement identification purposes;
 - (B) in judicial proceedings, if otherwise admissible pursuant to applicable statutes or rules;
 - (C) for criminal defense purposes, to a defendant, who shall have access to samples and analyses performed in connection with the case in which such defendant is charged; or
 - (D) if personally identifiable information is removed, for a population statistics database, for identification research and protocol development purposes, or for quality control purposes.

(c) Failure to comply

Access to the index established by this section is subject to cancellation if the quality control and privacy requirements described in subsection (b) of this section are not met.

(d) Expungement of records

As a condition of access to the index described in subsection (a), a State shall promptly expunge from that index the DNA analysis of a person included in the index by that State if the responsible agency or official of that State receives, for each conviction of the person of an offense on the basis of which that analysis was or could have been included in the index, a certified copy of a final court order establishing that such conviction has been overturned.

APPENDIX D

Table of Convicted Offender Samples

Table of Convicted Offender Samples

Please note that when recording the number of convicted offender samples collected and analyzed, record the actual number of samples collected and analyzed as of March 30, 2001 and the projected number of convicted offender samples that will be collected as of June 30, 2001.

Column 1.

Please specify the actual number of convicted offender samples collected as of March 30, 2001. This number should be the cumulative total of all convicted offender samples collected since the time your State DNA database law took effect.

Column 2.

Please specify the actual number of convicted offender samples analyzed with all the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** - as of March 30, 2001. This number should be the cumulative total of all convicted offender samples analyzed with the 13 CODIS core STR loci, since your DNA database law took effect until March 30, 2001, regardless of whether the samples were analyzed by a contract laboratory or in-house.

Column 3.

Please specify the projected number of convicted offender samples that will be collected between March 30, 2001 and June 30, 2001.

Column 4.

Please specify the estimated number of convicted offender samples that will be analyzed with the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** - as of June 30, 2001 independent of NIJ's assistance this year. This number should be the cumulative total of all convicted offender samples analyzed with all 13 CODIS core STR loci, since your State DNA database law took effect until June 30, 2001, regardless of whether the samples were analyzed by a contract laboratory or in-house.

Column 5.

Please total the amount of convicted offender samples collected and projected to be collected as of June 30, 2001 that have not been analyzed with STR technology and are eligible for funding.

Column 6.

Please total the number of quality assurance samples that will be analyzed during this program. **(Please note that the number should not exceed 10% of Column 5 nor be less than 5% of Column 5)**

Question 1.

Please specify what offenses are covered by your State DNA database law.

Question 2.

Please specify the date that your current State DNA database law took effect.

Question 3.

Please specify the average annual number of convictions for such qualifying offenses since your State DNA database law took effect.

Table of Convicted Offender Samples

TABLE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Number of convicted offenders collected as of Mar. 30, 2001	Number of offenders analyzed with 13 CODIS STR loci as of Mar. 30, 2001	Projected number of additional offender samples to be collected between Mar. 30, 2001 & June 30, 2001	Estimated total number of offenders analyzed with 13 CODIS STR Loci as of June 30, 2001	Total number of offenders collected and projected to be collected as of June 30, 2001 not tested with any STRs	Number of Quality Assurance samples that will be analyzed during this project

1. Please specify what offenses are covered by your State DNA database law. _____

2. Please specify the date that your current State DNA database law took effect. _____

3. Please specify the average annual number of convictions for such qualifying offenses since your State DNA database law took effect. _____

APPENDIX E

Program and State Match Assurances

Program Assurances

In accordance with the Program Requirements of this Solicitation, the applicant certifies that:

1. they shall follow the same technical requirements that apply to the vendor laboratories in this solicitation.
2. shall begin analysis of their samples within one hundred and twenty (120) days of receipt of notification of their award by NIJ. The first batch of samples should be completed within thirty (30) days of beginning analysis.
3. they shall be required to upload a batch of samples equal to at least one twelfth of their stated backlog every month during this award. Any variations must first be approved by NIJ. The States backlog will be the number of samples that are eligible for funding, which should be determined by totaling the number of samples collected as of March 30, 2001 and/or the number of samples projected to be collected by June 30, 2001. A State should have a minimum of 10,000 samples to request funding and must have the ability to analyze a minimum of approximately 850 samples a month.
4. they shall conduct quality assurance of their own samples and the number of these quality assurance samples shall not exceed 10% of the total convicted offender samples for which funding was awarded. During the award period the State shall immediately report to NIJ any discrepancies in the quality assurance of their convicted offender analyses.
5. they shall be in compliance with the current standards for the quality assurance program for DNA analysis, issued by the Director of the Federal Bureau of Investigation pursuant to the DNA Identification Act of 1994, entitled *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories*, (Appendix A). The State laboratory should analyze their convicted offender samples for all of the 13 CODIS core loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, TH01, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** - in accordance with the Federal Bureau of Investigation's *NDIS Standards for Acceptance of DNA Data* (Appendix B). The State agrees that the data generated by their laboratory, once the appropriate quality assurance of the samples has been completed, will be expeditiously uploaded into CODIS, their State DNA database, and NDIS. All genotypes generated by the State shall be in the common message format for insertion into the FBI's Combined DNA Index System (CODIS), (Appendix F).
6. they report to NIJ in the format specified by the **ACODIS Hit Counting Guidelines** (Appendix G) any hits relating to the convicted offender samples analyzed as a result of funding provided under this program. Such reporting shall occur within thirty (30) days of the occurrence of such a hit.

Failure to comply with the above certifications shall constitute cause for the suspension or termination of funding, at the discretion of NIJ.

Certifying Official

Title

Signature

Date

State Match Assurances

In accordance with the State Match Requirements of this Solicitation, the applicant certifies that:

1. they shall be required to conduct **DNA analysis**, in-house or by outsourcing, on at least 1.0 % of the total number of convicted offender samples for which an award was received under this program in unknown suspect cases (cases in which biological evidence is available but for which no suspect has been identified) during the 12 month term of the award. The DNA analysis of these unknown suspect cases shall be with STR technology, specifically with as many of the 13 CODIS core loci that are validated in the State's laboratory system - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539**. The State agrees that the unknown suspect casework resulting data will be expeditiously uploaded into CODIS, their State DNA database, and NDIS. Please note that the unknown suspect cases that have DNA analysis conducted but do not produce results suitable to be entered into CODIS will still apply to a State's 1.0% State match requirement.
2. they shall report to the National Institute of Justice (NIJ), in the format specified by the "CODIS Hit Counting Guidelines," any hits relating to the unknown suspect cases analyzed as part of the State Match required under this program. Such reporting shall occur within thirty (30) days of the occurrence of such hit.

Failure to comply with the above certifications shall constitute cause for the suspension or termination of funding, at the discretion of NIJ.

Certifying Official

Title

Signature

Date

APPENDIX J

Cost Proposal

Cost Proposal

For Vendor Laboratories Responding to the above Solicitation

Laboratories shall quote **prices per sample** for each of the following quantities to be analyzed during a 12 month period.

1. DNA Analysis using Applied Biosystem's PCR Kits at the following quantities. (Prices should be per sample)		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
1a.	1 - 3000 samples	_____	_____	_____	_____
1b.	3001 - 6000 samples	_____	_____	_____	_____
1c.	6001 - 10,000 samples	_____	_____	_____	_____
1d.	10,001 - 20,000 samples	_____	_____	_____	_____
1e.	20,001 - 60,000 samples	_____	_____	_____	_____
1f.	60,001 - 100,000 samples	_____	_____	_____	_____
1g.	100,000 + samples	_____	_____	_____	_____
2. DNA Analysis using Promega's PCR Kits at the following quantities. (Prices should be per sample)		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
2a.	1 - 3000 samples	_____	_____	_____	_____
2b.	3001 - 6000 samples	_____	_____	_____	_____
2c.	6001 - 10,000 samples	_____	_____	_____	_____
2d.	10,001 - 20,000 samples	_____	_____	_____	_____
2e.	20,001 - 60,000 samples	_____	_____	_____	_____
2f.	60,001 - 100,000 samples	_____	_____	_____	_____
2g.	100,000 + samples	_____	_____	_____	_____

Please designate which analytical platform (e.g. 310, FMBIO) in the laboratory that the above listed prices hold true for and which NDIS accepted PCR Kits that your laboratory will use for this contract.

Analytical Platform

NDIS accepted PCR Kits

APPENDIX K

PROGRAM NARRATIVE MODEL FORMAT FOR VENDOR LABORATORIES

PROGRAM NARRATIVE MODEL FORMAT FOR
VENDOR LABORATORIES
RESPONDING TO THIS SOLICITATION

I. Introduction

 A. Corporate/Business History

 B. Prime Contact

II. Technical Proposal

 A. Minimum Requirements.

 1. *Quality Assurance Standards/Accreditation*

 2. Capacity Certification.

 3. *NDIS Standards for Acceptance of DNA Data*

 4. Proficiency Test Program.

 5. Proficiency Test Results for Each Analyst.

 6. Protocols & Procedures Available.

 7. Site Visit /Inspection of Laboratory.

 B. Technical Requirements.

 1. Subcontracting Prohibition.

 2. Form of Submissions.

 3. Approved STR Kits/ Analytical Platforms.

 4. Shipping Method Described.

 5. Chain of Custody (Processing & Tracking of Samples Described).

 6. Laboratory Policies on Confidentiality.

 7. Agreement to Provide Testimony in Subsequent Legal Actions.

 8. Analysis and Resulting Data Provided to Submitting State.

 9. Required Controls & Standards.

 10. Analysis Considered Complete.

 11. As Necessary, Additional Samples Provided

 12. Quality Assurance Samples.

 13. Notification of any Testing Problems.

 C. Project Management

 1. Description of Project Management

 2. Organizational Structure

 3. Resumes

III. References.

 A. Reference #1

 B. Reference #2.

IV. Cost

 Please use Cost Proposal Sheet(s) provided in Appendix J.

APPENDIX L

Certified Statement of Compliance

**Certified Statement of Compliance
with Quality, Capacity and Proficiency Testing Requirements**

I hereby certify that _____(Name of Company) shall perform the DNA analysis requested in this Solicitation to satisfy or exceed current standards for the quality assurance program for DNA analysis, issued by the Director of the Federal Bureau of Investigation pursuant to the DNA Identification Act of 1994, entitled “Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories.” The laboratory further certifies that we are either accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or certified by the National Forensic Science Technology Center (NFSTC) for compliance with the FBI Director’s quality assurance standards.

I further certify that our laboratory’s capacity for conducting DNA analysis on convicted offender samples using the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** at the time of responding to this Statement of Work is at least 4000 samples a month.

I further certify that our laboratory shall analyze all samples for the 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** - in accordance with the Federal Bureau of Investigation’s *NDIS Standards for Acceptance of DNA Data*.

I further certify that our laboratory participates in an external proficiency testing program from a test provider that has been approved by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board [ASCLD/LAB].

I further certify that all personnel performing DNA analysis have participated semiannually in an ASCLD/LAB approved external proficiency testing program and have performed successfully in such proficiency tests.

To demonstrate our laboratory’s proficiency in DNA analysis, **attached is a copy of the most recent proficiency test results for the laboratory and copies of the most recent proficiency testing results for each analyst that may participate in this program which include name, date of test, manufacturer, platform used, kits used, copies of the paperwork submitted to the manufacturer and their results.**

It is further agreed that all personnel performing DNA analysis must continue to perform successfully in the external proficiency testing program described above.

Name: _____

Title: _____

Company: _____

Address: _____

Date: _____

Appendix M

Statutory Assurance Form

Statutory Assurance

Pursuant to the provisions of 42 U.S.C. 3796kk-2, the applicant certifies that:

- (1) DNA analyses performed at the laboratory will satisfy or exceed the current standards for a Quality Assurance Program for DNA analysis issued by the Director of the Federal Bureau of Investigation under Section 14131 of Title 42 United States Code.
- (2) DNA samples obtained by and DNA analyses performed at the laboratory shall be made available only--
 - (A) to criminal justice agencies for law enforcement identification purposes;
 - (B) in judicial proceedings, if otherwise admissible pursuant to applicable statutes or rules;
 - (C) for criminal defense purposes, to a defendant, who shall have access to samples and analyses performed in connection with the case in which the defendant is charged; or
 - (D) if personally identifiable information is removed, for a population statistics database, for identification research and protocol development purposes, or for quality control purposes;
- (3) and the laboratory and each analyst performing DNA analyses at the laboratory shall undergo semiannual external proficiency testing by a DNA proficiency testing program that meets the standards issued under 42 U.S.C. 14131, Quality Assurance and Proficiency Testing Standards.

Certifying Official

Title

Signature

Date

For more information on the National Institute of Justice, please contact:

National Criminal Justice Reference Service

Box 6000

Rockville, MD 20849-6000

800-851-3420

e-mail: askncjrs@ncjrs.org

You can view or obtain an electronic version of this document from the NCJRS Justice Information Center web site (<http://www.ncjrs.org>) or the NIJ web site (<http://www.ojp.usdoj.gov/nij>).