



**AGENDA REPORT**  
**November 13, 2018**

**Permission to participate in and accept the FDLE Fiscal Year 2018 Edward  
Byrne Memorial Justice Assistance Grant**

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**SUBJECT:**

Permission to Participate in and Accept the FDLE Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant

**DEPT/OFFICE:**

Agenda Coordinator

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners grant permission to participate in and accept the 2018 FDLE Edward Byrne Memorial Justice Assistance Grant - Countywide Solicitation; designate the Brevard County Sheriff's Office as the Point of Contact and authorize the Chairman to execute the necessary documents and Budget Adjustments.

**SUMMARY EXPLANATION and BACKGROUND:**

The Florida Department of Law Enforcement (FDLE) recently notified Brevard County of its intent to open the FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) program. Brevard County is slated to receive \$147,757. Units of local government applying for this grant must use funding for law enforcement programs.

For the last 12 years, this funding has been used for the Sheriff's Office Prisoner Transportation program. The Prisoner Transportation program provides coordinated transportation of arrestees to the county jail from the field by Brevard's Law Enforcement agencies. The program allows law enforcement agencies who find it difficult to transport arrestees to the County Jail Complex the ability to have arrestees picked up by the Sheriff's Office. This results in law enforcement officers being able to return to patrol functions more quickly and creates a safer community. Over the last 3 years, this program has transported over 17,000 arrestees and saved over 19,000 law enforcement patrol hours. In the previous year, the Sheriff's Office is receiving an award of \$149,558 in grant funding from FDLE for this program.

As a condition of the grant, the County and the Cities must come to a consensus on how the funds are to be used and provide a letter of support for that use. The Sheriff's Office has coordinated the support of the cities to use the funds for the Prisoner

Transportation program and has received the necessary letters of support.

Therefore, the Sheriff's Office is requesting permission for the Board to participate in the Edward Byrne Memorial Justice Assistance Grant, to designate the Sheriff's Office as the coordinating unit of government and authorize the execution of the necessary documents and budget adjustments

Contact: Greg Pelham

phone/e-mail: (321)264-5206, gregory.pelham@bcso.us

**CLERK TO THE BOARD INSTRUCTIONS:**

Grant Application

Letter of Support

**ATTACHMENTS:**

**Description**

- **Grant Application and Support letters**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781 -0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

November 14, 2018

Honorable Wayne Ivey  
Brevard County Sheriff  
700 South Park Avenue  
Titusville, FL 32780

Attn: Greg Pelham

Dear Sheriff Ivey:

Re: Item F.23., Permission to Participate In and Accept the Florida Department of Law Enforcement (FDLE) Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant

The Board of County Commissioners, in regular session on November 13, 2018, granted permission to participate in and accept the FDLE 2018 Edward Byrne Memorial Justice Assistance Grant – Countywide solicitation; designated the Brevard County Sheriff Office as the point-of-contact; and authorized the Chair to execute the necessary documents and budget adjustments. Enclosed is the Grant Application for your action.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Finance  
Budget

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide



## Subgrant Recipient

**Organization Name:** Brevard County Board of Commissioners  
**County:** Brevard

## Chief Official

**Name:** Rita Pritchett  
**Title:** Chair  
**Address:** 2000 South Washington Avenue  
2nd Floor  
**City:** Titusville  
**State:** FL **Zip:** 32780-4747  
**Phone:** 321-607-6901 **Ext:**  
**Fax:**  
**Email:** D1.Commissioner@brevardcounty.us

## Chief Financial Officer

**Name:** Steve Burdette  
**Title:** Finance Director  
**Address:** Post Office Box 1496  
**City:** Titusville  
**State:** FL **Zip:** 32780-1496  
**Phone:** 321-637-2002 **Ext:**  
**Fax:** 321-264-5227  
**Email:** steve.burdette@brevardclerk.us

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

Section 9 Administration

## Implementing Agency

**Organization Name:** Brevard County Sheriff's Office  
**County:** Brevard

## Chief Official

**Name:** Robert Ivey  
**Title:** Sheriff  
**Address:** 700 South Park Avenue  
**City:** Titusville  
**State:** FL **Zip:** 32780-4007  
**Phone:** 321-264-5201 **Ext:**  
**Fax:** 321-264-5360  
**Email:** wayne.ivey@bcso.us

## Project Director

**Name:** Greg Pelham  
**Title:** Budget Manager  
**Address:** 700 Park Avenue  
**City:** Titusville  
**State:** FL **Zip:** 32780  
**Phone:** 321-264-7753 **Ext:**  
**Fax:** 321-264-5324  
**Email:** greg.pelham@bcso.us

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide



## General Project Information

**Project Title:** TRANSPORTATION/BOOKING SYS IMPROVEMENNT PRG XVI  
**Subgrant Recipient:** Brevard County Board of Commissioners  
**Implementing Agency:** Brevard County Sheriff's Office  
**Project Start Date:** 10/1/2017      **End Date:** 9/30/2018

## Problem Identification

The Brevard County Sheriff's Office is the primary law enforcement service provider for over 207,000 citizens who live in the unincorporated areas of Brevard County. However, the Brevard County Jail services the entire county population of over 552,000 citizens and the 3 million tourists that visit Brevard each year. The Brevard County Jail has an average daily population of over 1,400 inmates and process over 20,000 arrested persons annually.

Brevard County is a linear County 26 miles wide and 72 miles long. Transporting arrested persons from the field to one location in the north end of the county (the jail's location) is logistically difficult and extremely time consuming. When deputies/officers arrest a person in the central and south ends of the county, they have to transport prisoners as much as 60 miles one way to the county jail. In doing so, they often leave an assigned patrol zone that is usually left vacant until the deputy/officer returns. This creates officer safety problems for existing patrol units with little or no backup. In many cases, deputies/officers would be out of service for up to 4 hours transporting and booking prisoners, one at a time or collectively, into the county jail.

The uncoordinated prisoner transport process also creates an impediment to the timely booking process for corrections officers at the county jail. Many of the municipal police departments hold arrestees until shift change and transport all arrestees at once to the county jail. This creates a surge of inmates during times when disruptive schedule changes occur in the jail personnel. Additionally, Correctional Officers must complete and correct booking packages taking additional time to process the arrestee. As a result, prisoner booking at the county jail has been a very time consuming and inefficient process. Moreover, prior to the implementation of this program, 30% of the booking packages completed by the local police departments were incomplete or incorrectly submitted. An acceptable error rate is between 5 to 10%, and with this program in place, the error rate can be maintained at a rate below 10%, as it is currently 0%!

## Project Summary (Scope of Work)

The project submitted by the Brevard County Sheriff's Office is the continuation of the Prisoner Transportation/Booking System Improvement Program. The program is currently in the fourteenth year of successful implementation. The current program provides for the coordinated prisoner transportation to the county jail for the Sheriff's Office and all the municipalities in Brevard County. The Grant will be funding salaries and benefits for the three (3) Correction Deputies. Time sheets and Pay Stubs for each employee assigned to the program will be provided as backup to document the use of the grant funds. Without the continuation of these funds, this program will not be able to continue due to the limited funding provided by the Brevard County Board

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of County Commissioners for Sheriff's Operations.

As the Sheriff's Office continues to provide the countywide transportation of people arrested throughout the county to the jail facility, we will continue to coordinate adequate staffing to process the incoming arrestees, as well as controlled queuing of those processed, and enhanced efficiency of the booking process. Arrest paperwork will continue to be examined when the prisoner is picked up by the Transportation Deputy, ensuring booking officers will have standardized, completed paperwork expediting the booking process. Subsequently, all municipalities in Brevard County will continue to benefit from this program. During the past year, the program transported 6,100 prisoners and saved over 6,000 law enforcement patrol hours. In addition, errors in the booking packages submitted to the Booking Unit for the previous year were below the 10% threshold, they were 0%. Thus, the benefits to the patrol resources of the over one thousand police officers and deputy sheriffs in Brevard County are positive and far reaching. These include: increased officer safety, increased citizen safety, increased patrol coverage and a significant increase in the overall efficiency of the law enforcement patrol deployment in Brevard County.

Grant funds will be used to pay partial salaries and benefits for three (3) federally grant-funded positions for the Brevard County Sheriff's Office. These three (3) positions will be available to support the Prisoner Transportation/Booking System Improvement Program by coordinating prisoner transport.

The minimum performance for this position, including minimum timeframes for prisoner transport, as well as the availability for this position will be in accordance with the local employment agreement and/or position description. This position will be overseen and managed by the Brevard County Sheriff's Office. Documentation to support costs and activities will consist of timesheets, payroll records, paystubs, and/or agency records systems. All documentation to support use and expenditure of grant funds, including the establishment/sustainment of a net personnel increase, will be available for review during grant monitoring.

The deliverable for this agreement is the quarterly performance of the tasks and activities described in the scope of work, 8 hours a day for a 40 hour work week in accordance with local agency employment agreement and/or position description. Brevard County will request reimbursement of allowable costs identified in Section 4, pages 1-2 on a quarterly basis.

# Application for Funding Assistance

Florida Department of Law Enforcement  
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## SECTION 2 - PROJECT OVERVIEW

### Section Questions:

- Question: What percentage of the total cost of this project is being funded by sources other than this award?  
Answer: 36
- Question: What is the name of the jurisdiction(s) your agency provides service to. (e.g., City of Miami, Orange County, State of Florida)  
Answer: Brevard County
- Question: What is the address of the location being used to provide services for this project?  
Answer: 700 Park Ave  
Titusville, FL 32780
- Question: Describe your agency. (e.g., non-profit, community based, government)  
Answer: Local Government
- Question: Have you verified that the subgrantee has an active and current registration in SAM.gov?  
Answer: Yes
- Question: What is the Operating Capital Outlay threshold used by the subgrantee?  
If the implementing agency is a sheriff's office, indicate the sheriff's office's threshold instead.  
Answer: \$1,000
- Question: Does the subgrantee receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?  
Answer: No
- Question: Does the implementing agency receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?  
Answer: No
- Question: In your organization's preceding completed fiscal year, did your organization (the subgrantee) receive at least (a) 80 percent or (b) \$25,000,000 of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?  
Answer: No
- Question: If you answered yes above, does the public have access to information about the compensation of the executives in your organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.  
Answer: No
- Question: What is the combined population of the jurisdiction(s) your agency provides services to (according to the 2010 census)?  
Answer: 543376

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section 3 Performance

### General Performance Info:

**Performance Reporting Frequency:** Quarterly

**Prime Purpose Area:** 01 - Law Enforcement (Includes Task Forces)

**State Purpose Area:** 1G - General Questions

### Objectives and Measures

**Objective:** General Questions - General Questions for All Recipients

**Measure:** General 01

Will your organization be using the crimesolutions.gov website during the grant period regardless of JAG funding? Crimesolutions.gov provides information on several crime reduction and prevention programs and practices.

**Goal:** No

**Measure:** General 02

Will your organization be using the The National Training and Technical Assistance Center (NTTAC) during the grant period, regardless of JAG funding? The NTTAC serves as BJA's training and technical assistance center. You can find resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.

**Goal:** No

**Measure:** General 03

Will your organization be using the NCJP.org website during the grant period, regardless of JAG funding? NCJP.org contains resources to support strategic planning, program development, and implementation of evidence-based policy and practice.

**Goal:** No

**Measure:** General 04

Will your organization be using the Evidence-Based Policing Matrix during the grant period regardless of JAG funding? The Evidence-Based Policing Matrix provides information on evidence-based practices for law enforcement.

**Goal:** No

**Measure:** General 05

Will your organization be using the What Works in Reentry Clearinghouse during the grant period regardless of JAG funding? The clearinghouse provides research on the effectiveness of reentry programs and practices.

**Goal:** No

**Measure:** General 06

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## Section 3 - Performance

Will your organization be using Research to Practice during the grant period regardless of JAG funding? Research to Practice promotes the dissemination of research on drug courts to practitioners and policymakers.

Goal: No

Measure: General 07

Will your organization be using any other resources during the grant period regardless of JAG funding? If yes, please describe them.

Goal: No

Measure: General 08

During the grant period, will your agency conduct or sponsor (with or without JAG funds) a survey or focus group of citizens on any of the following topics? Enter all that apply from the following list: Public satisfaction with police services; public satisfaction with prosecution services; public satisfaction with public defender/indigent defense services; public satisfaction with courts; public perceptions of crime/disorder problems; personal crime experiences of citizens; none of the above; unsure/don't know.

Goal: No

Measure: General 09

During the grant period, which of the following community activities will your organization be involved in, with or without JAG funds and how often will they each occur (yearly, monthly, etc.)? Choose from the following list: Hosting community meetings; attending community meetings; distributing a newsletter, e-mail, or other bulletin; attending community events; conducting social media activities; conducting outreach to minority populations; other (please describe)

Goal: No

Measure: General 10

Law Enforcement Agencies ONLY: In which of the following ways has your agency fostered community involvement in the last year? Enter all that apply from the following list: Citizen Review Board or other review board with citizen representation, Citizen's Police Academy, Internships for university or high school students, Volunteer Program, Auxiliary police officer program, Police Cadet Program, k-12 school programs, Youth Athletic Programs, Other (please Describe), None of the above, Unsure/Don't know.

Goal: Citizen's Police Academy, Police Athletic Program and BAM

Measure: General 11

Identify the goal(s) you hope to achieve with your funding. If you have multiple goals, describe each goal separately.

# Application for Funding Assistance

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## Section 4 Performance

Goal: Use the County Funds to benefit all police and sheriff agencies by coordinating transportation of arrestees to the County Jail.

This saves the agencies manpower due to the 82 mile long county with 1 jail located in northern less populated part of the county.

The agencies coordinate arrestee pickups with the Jail Prisoner Transportation unit which is partially funded with the Byrne Grant.

Measure: General 12

Are the subrecipient and implementing agency aware that they will be required to report on the status of the identified goals during each reporting period?

Goal: Yes

Measure: General 13

Describe any barriers you may encounter which may prevent you from achieving your identified goal(s).

Goal: n/a

Measure: General 14

Are you aware that the Office of Criminal Justice Grants encourages recipients to report on any noteworthy accomplishments, success stories, or program results that they would like to showcase?

Goal: Yes

Measure: General 11b

What major activities are planned for each of your goals listed in question 11?

Goal: Coordinating and scheduling arrestee pickups by the Jail Transportation Unit with the police and sheriff agencies.

State Purpose Area: 2P - Personnel

## Objectives and Measures

**Objective:** Personnel Questions - Questions for all recipients using personnel.

Measure: Personnel 1

During the grant period, approximately how many overtime hours will be funded by JAG?

Goal: 0

Measure: Personnel 2

During the grant period, how many personnel will have their salary or pay funded, at least partially, with JAG funds?

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## Section 3 Performance

Goal: 3

Measure: Personnel 3

How many new positions will be created with JAG funds during the grant period?

Goal: 0

**State Purpose Area:** 3E - Equipment, Supplies, and Technology Enhancements

### Objectives and Measures

**Objective:** Equipment - Questions for all recipients purchasing Equipment, Supplies, and Technology Enhancements.

Measure: Equipment 1

Do the Subrecipient and Implementing agencies understand that they will be required to submit an itemized account of all items purchased during each reporting period as part of their performance reporting?

Goal: Yes

**State Purpose Area:** R25 - Questions for recipients of an award \$25,000 or more.

### Objectives and Measures

**Objective:** LE General - Law enforcement questions for recipients of an award \$25,000 or more.

Measure: LE01

How many sworn personnel with general arrest powers does your agency have on staff?

Goal: 560

Measure: LE02

Of the sworn personnel, how many are JAG funded?

Goal: 3

Measure: LE03

How many non-sworn employees does your agency have on staff?

Goal: 496

Measure: LE04

Of the non-sworn personnel, how many are JAG funded?

Goal: 0

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## Section 3 Performance

Measure: LE05

Does your agency utilize a strategic management accountability system to gather and disseminate information within the agency (e.g., CompStat, stratified policing)? Strategic management accountability systems typically include a focus on the use of relevant and timely data, the production of reports detailing problems and actions taken to solve them, and regular meetings with management to discuss strategies.

Goal: No

Measure: LE06

Does your agency use any of the following deconfliction tools? Choose all that apply from the following list: RISSafe, SAFETNet, Case Explorer, None of the above, unsure/don't know.

Goal: None of the above

**Objective:** LE Program - Program specific law enforcement questions for recipients of an award \$25,000 or more.

Measure: LE07

During the grant period, will you operate a law enforcement program partially or fully funded by JAG funds? If yes, what is the name of that program? If you are operating more than one program, include the names of each one.

Goal: Prisoner Transportation/Booking Improvement Program

Measure: LE08

During the grant period, will you operate a task force partially or fully funded by JAG funds? If yes, what is the name of the program? If you are operating more than one program, include the names of each one.

Goal: No

Measure: LE09

If you will operate a program or task force with JAG funds during the grant period, what percentage of the program's total costs will be paid for with sources other than this JAG award? If you will operate more than one program, answer for each separately.

Goal: None

Measure: LE10

If you will operate a program or task force with JAG funds during the grant period, what was the initiation year of that program, regardless of when it received JAG funding? If you operated more than one program, answer for each separately.

Goal: None

Measure: LE11

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## SECTION OF PERFORMANCE

Are you or a partner planning to conduct an evaluation of your program or task force? If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE12

If you or a partner are planning to conduct an evaluation of your program or task force, are you aware that you will be required to report on the status of that evaluation?

Goal: Yes

Measure: LE13

If you will operate a program or task force with JAG funds during the grant period, which of the following violent crime/problems will it focus on? If you will operate more than one program, answer for each separately. Choose all that apply from among the following list: All violent crime in the jurisdiction, Homicide, Human Trafficking, Domestic Violence, Child Abuse, Child Pornography and Exploitation, Sexual Assault, Terrorism, None of the above.

Goal: None of the above

Measure: LE14

If you will operate a program or task force with JAG funds during the grant period, which of the following property crime/problems will it focus on? If you will operate more than one program, answer for each separately. Choose all that apply from among the following list: All Property Crime in the Jurisdiction, Auto theft, Burglary.

Goal: None of the above

Measure: LE15

If you will operate a program or task force with JAG funds during the grant period, which of the following societal crimes/problems will it focus on? If you will operate more than one program, answer for each separately. Choose all that apply from among the following list: Drug crime, Prescription drug crime, Disorder/quality-of-life incidents, Prostitution, Cybercrime, White-collar crime, Healthcare fraud, Status offenses (truancy, underage drinking, etc.), None of the above.

Goal: None of the above

Measure: LE16

If you will operate a program or task force with JAG funds during the grant period, which of the following general crime/problems will it focus on? If you will operate more than one program, answer for each separately. Choose all that apply from among the following list: All crime in the jurisdiction, Hate crime, Gun Crime, Traffic violations/crashes, Other (please describe).

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## Section 3: Performance

Goal: None of the above

Measure: LE17

If you will operate a program or task force with JAG funds during the grant period, who is the target population. If you will operate more than one program, answer for each separately. Choose all that apply from the following list: Adults, Elderly, Gangs, Juvenile Delinquents, Children of incarcerated/justice-involved parents, Drug-endangered children, Persons with mental illness, All victims, Other (please describe).

Goal: None of the above

Measure: LE18

If you will operate a program or task force with JAG funds during the reporting period, what is the primary target area of that program or task force? If you will operate more than one program, answer for each separately. Choose from the following list: Specific landmark or place (mall, park, theater), hot spots (a number of blocks or street segments that have been identified as experiencing a disproportionate share of the jurisdiction's problem), entire jurisdiction, multi-jurisdictional/cross jurisdictional.

Goal: None of the above

Measure: LE19

If you will operate a program or task force with JAG funds during the reporting period, will that program focus efforts around any of the following models? If you will operate more than one program, answer for each separately. Choose all that apply from the following list: Community oriented approach, problem solving approach, geographic focus, high-rate offender focus, high-rate group/gang focus, Procedural justice, Unsure/Don't know, Other (please describe).

Goal: None of the above

**Objective:** LE Services - Service specific law enforcement questions for recipients of an award \$25,000 or more.

Measure: LE20

Will you provide situational crime prevention and crime prevention through environmental design strategies as part of your program? (approaches that change the perceived opportunities for a crime, so the offender will believe the crime is more difficult, has more risk, or provides less rewards, for example, access control to parking lots or improved lighting on a walkway) If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE21

Will you provide youth development services as part of your program?

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## Section 3 Performance

(programs that promote positive behaviors and decrease negative behavior in youth, for example, any of the Blueprints programs.) Describe the services provided. If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE22

Will you provide crime awareness services as part of your program? (programs aimed at increasing the awareness of a crime problem including solutions to prevent crime, for example a Lock It or Lose It program.) Describe the services provided. If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE23

Will you provide increased personal safety services as part of your program? (programs that provide instruction on increasing personal safety, for example, a Rape Aggression Defense (RAD) class.) Describe the services provided. If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE24

Will you provide community building services with your program? (programs that promote community cohesion, including communication between the community and elements of the criminal justice system, for example, National Night Out.) Describe the services provided. If you will operate more than one program, answer for each separately.

Goal: No

Measure: LE25

Will you provide any other crime prevention services not described in this report with that program? Describe the services provided. If you will operate more than one program, answer for each separately.

Goal: No

**Objective:** LE Tracking - Tracking questions for Law Enforcement recipients of an award \$25,000 or more.

Measure: LE26

Approximately how many criminal groups will be disrupted under your program during the grant period? Disrupted means impeding the normal and effective operation of the group, as indicated by changes in leadership or methods of operation. If you will operate more than one program, answer for each separately.

Goal: None

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## Section 33 Performance

Measure: LE27

How many criminal groups will be dismantled under your program during the grant period? Dismantled means destroying the organization's leadership, financial base, or supply network so that the organization is incapable of operating. If you will operate more than one program, answer for each separately.

Goal: None

Measure: LE28

Approximately how many firearms will your program or task force seize during the grant period? If you will operate more than one program, answer for each separately.

Goal: None

Measure: LE29

Approximately how many firearms will your program or task force enter into the National Integrated Ballistic Information Network (NIBIN) during the reporting period? If you will operate more than one program during the reporting period, answer separately for each.

Goal: None

Measure: LE30

Approximately how many firearms will your program or task force trace through the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) during the reporting period? If you will operate more than one program during the reporting period, answer separately for each.

Goal: None

Measure: LE31

Regardless of JAG funding, how many total asset forfeiture cases will your program or task force file during this grant period?

Goal: None

Measure: LE32

Regardless of JAG funding, which of the following items will your program or task force seize during the grant period as part of a state or federal asset forfeiture case? Choose all that apply from the following list: Drugs, currency, firearms, other physical property, none of the above.

Goal: None

Measure: LE33

Are you aware that you will be required to complete the law enforcement questionnaire and submit it to your grant manager alongside each performance report.

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SECTION 3 RESPONSE

Goal: Yes

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Florida Department of Law Enforcement  
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## Section 4 - Financial

### General Financial Info:

Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000523

### Budget:

Budget Category	Prime	Match	Total
Salaries and Benefits	\$135,532.00	\$0.00	\$135,532.00
Contractual Services	\$0.00	\$0.00	\$0.00
Expenses	\$0.00	\$0.00	\$0.00
Operating Capital Outlay	\$10,223.00	\$0.00	\$10,223.00
Indirect Costs	\$0.00	\$0.00	\$0.00
<b>-- Totals --</b>	<b>\$145,755.00</b>	<b>\$0.00</b>	<b>\$145,755.00</b>
Percentage	100.0	0.0	100.0

### Project Generated Income:

Will the project earn project generated income (PGI)? No

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Florida Department of Law Enforcement  
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Section #4 - Budget (cont)

## Budget Narrative:

Budget Narrative:

The Prisoner Transportation/Booking System Improvement Program will fund 3 sworn Deputy positions. The deputies' primary mission will be pick up and transport of arrestees, examine and review booking packages, preliminary screen arrestees for medical needs, and educate local jurisdictions on standardized booking packages.

The grant will be charged at 100% of salaries and benefits until all funds budgeted for the positions are expended. The average hourly rate of the 3 officers is \$33.92 at approximately 3,993.6 hours will be paid by the grant. The agency will continue to fund the positions through the end of the grant period.

Budget Summary:

Fringe Rate SWORN 1 SWORN 2 SWORN 3 Total

WAGES 27,468 28,716 28,457 84,641

FICA 7.65% 2,101 2,197 2,177 6,475

RETIREMENT 24.5% 6,730 7,035 6,972 20,737

WORKER COMP 3.35% 920 962 953 2,835

HEALTH INS. 7,128 7,452 6,264 20,844

Total Salaries 44,347 46,362 44,823 135,532

SALARY & BENEFITS	77,282	67,192,	67,192	211,666
% FUNDED BY GRANT	58%	69%	66%	64%

## EXPENSES

FUEL 10,223

TOTAL \$145,757

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Florida Department of Law Enforcement  
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Section #4 Financial

## Section Questions:

Question: If the budget contains salaries and benefits, will this project result in a net personnel increase, or continue to fund a prior federally grant funded net personnel increase?

Answer: Yes

Question: If Expenses or Operating Capital Outlay are included in your budget, what will be the method of procurement for those items? (e.g., competitive bid, sole source, state term contract)

Answer: State Contract

Question: If indirect cost is included, explain the indirect cost plan. Provide documentation of approval.

Answer: n/a

Question: If contractual services in the budget are based on unit costs, provide a definition and breakdown of cost for each service. Include the methodology for the unit cost plan and when it was approved.

Answer: n/a

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duly authorized officers on the date, month and year set out below.

Corrections on this page, including Strikeovers, whiteout, etc. are not acceptable.

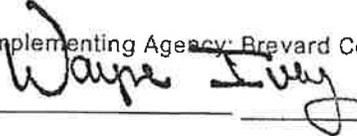
**State of Florida**  
Department of Law Enforcement  
Office of Criminal Justice Grants

Signature: \_\_\_\_\_  
Typed Name and Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Subgrant Recipient**  
Authorizing Official of Governmental Unit  
(Commission Chairman, Mayor, or Designated Representative)

Typed Name of Subgrant Recipient: Brevard County Board of County Commissioners  
Signature:   
Typed Name and Title: Rita Pritchett, Chair  
Date: Novemebr 13, 2018

**Implementing Agency**  
Official, Administrator or Designated Representative

Typed Name of Implementing Agency: Brevard County Sheriff's Office  
Signature:   
Typed Name and Title: Wayne Ivey, Sheriff  
Date: 11/6/18

# Edward Byrne Memorial Justice Assistance Grant (JAG) Program

## SUBAWARD STANDARD CONDITIONS

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The State of Florida, Department of Law Enforcement (FDLE) is a recipient of federal JAG funds. FDLE, as the non-federal pass-through entity and State Administering Agency (SAA) for this program, subawards JAG funds to eligible units of government. All subawards made by FDLE to units of government under this program require compliance with the agreement and Standard Conditions upon signed acceptance of the subaward.

Upon approval of the application, or subaward, the following terms and conditions will become binding. As a unit of government, the subrecipient will maintain required state and federal registrations and certifications for eligibility under this program. For JAG-Countywide subawards, the designated County Coordinator for local units of government will submit documentation in accordance with Florida Administrative Code 11D-9 supporting the strategic planning for allocation of these funds. The subrecipient agrees to submit required programmatic and financial reports supporting eligible activities were completed in accordance with the grant and program requirements.

The Department will only reimburse subrecipients for authorized activities. The Department will not reimburse for costs incurred for any purpose other than those specified in the agreement. Failure to comply with provisions of this agreement, or failure to perform grant activities as specified in the agreement, will result in required corrective action up to and including financial consequences. A financial consequence may be imposed for non-compliance in accordance with 2 C.F.R. § 200 and these Standard Conditions, including but not limited to project costs being disallowed, withholding of federal funds and/or termination of the project.

### GENERAL REQUIREMENTS

All subrecipients must comply with the financial and administrative requirements set forth in the following:

Current edition of the U.S. Department of Justice (DOJ) Grants Financial Guide

[https://ojp.gov/financialguide/doj/pdfs/DOJ\\_FinancialGuide.pdf](https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf)

Office of Management and Budget (OMB) Uniform Grant Guidance (2 CFR Part 200)

Subpart A, Definitions

Subparts B-D, Administrative Requirements

Subpart E, Cost Principles

Subpart F, Audit Requirements and all applicable Appendices

Code of Federal Regulations: [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/)

2 C.F.R. §175.15(b), Award Term for Trafficking in Persons

28 C.F.R. §38, Equal Treatment for Faith-Based Organizations

28 C.F.R. § 66, U.S. Department of Justice Common Rule for State and Local Governments

28 C.F.R. § 83, Government-Wide Requirements for Drug-Free Workplace

28 C.F.R. §§ 18, 22, 23, 30, 35, 42, 61, and 63

State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:

<http://dos.myflorida.com/media/693574/general-records-schedulegs01-sl.pdf> and

<http://dos.myflorida.com/media/698314/qs2-sl-2017-final.pdf>

State of Florida Statutes

Section 215.971, F.S., Agreements funded with federal or state assistance

Section 215.985, F.S., Transparency in government spending

## DEFINITIONS

**Disallowed costs** means those charges to a Federal award that the Federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.

**Equipment** means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See also §§200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

**Grant agreement** means a legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304, is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency or pass-through entity's direct benefit or use; and is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

**Improper payment** means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements and; improper payment includes any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

**Micro-purchase** means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. The non-Federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation

at 48 CFR Subpart 2.1 (Definitions). It is \$3,500 except as otherwise discussed in Subpart 2.1 of that regulation, but this threshold is periodically adjusted for inflation.

**Modified Total Direct Cost (MTDC)** means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

**Non-Federal entity** is a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

**Non-federal pass-through entity** is a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program; the Florida Department of Law Enforcement (FDLE) is the non-federal pass-through entity for this agreement, also referred to as the State Administering Agency (SAA).

**Period of performance** means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in the Federal award (see §§200.210 Information contained in a Federal award paragraph (a)(5) and 200.331 Requirements for pass-through entities, paragraph (a)(1)(iv)).

**Protected Personally Identifiable Information (PII)** means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to social security numbers; passport numbers; credit card numbers; clearances; bank numbers; biometrics; date and place of birth; mother's maiden name; criminal, medical, and financial records; and educational transcripts. This does not include PII that is required by law to be disclosed. (See also § 200.79 Personally Identifiable Information (PII)).

**Questioned cost** means a cost that is questioned by the auditor because of an audit finding 1) that resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a Federal award, including for funds used to match Federal funds; 2) where the costs, at the time of the audit, are not supported by adequate documentation; or 3) where the costs incurred appear unreasonable and do

not reflect the actions a prudent person would take in the circumstances.

**Simplified acquisition threshold** means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 C.F.R. Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. § 1908. As of the publication of this part, the simplified acquisition threshold is \$150,000, but this threshold is periodically adjusted for inflation. (Also see definition of Micro-purchase, 2 C.F.R. § 200.67)

**Subaward** is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

**Subrecipient** means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

**Supplies** means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also §§200.20 Computing devices and 200.33 Equipment.

## SECTION I: TERMS AND CONDITIONS

**1.0 Payment Contingent on Appropriation and Available Funds** - The State of Florida's obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse subrecipients for incurred costs is subject to available federal funds.

**2.0 Commencement of Project** - If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and

the expected start date.

If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the Department explaining the implementation delay.

Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subaward funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

**3.0 Supplanting** - The subrecipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

**4.0 Personnel Changes** - The subrecipient agrees to promptly notify the Department through the SIMON Help Desk of any change in chief officials or key project staff, including changes to contact information or title changes. The subrecipient acknowledges that some changes in points of contact will require formal grant adjustment to reflect the change in the agreement.

**5.0 Non-Procurement, Debarment and Suspension** - The subrecipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 C.F.R. § 180, "OMB Guidelines To Agencies On Government wide Debarment And Suspension (Non-procurement)". These procedures require the subrecipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the subaward is \$100,000 or more, the sub recipient and implementing agency certify that they and their principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
- 2) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal

offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - 4) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.
- 6.0 Federal Restrictions on Lobbying** - In general, as a matter of federal law, federal funds may not be used by any subrecipient at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. § 1913.

Another federal law generally prohibits federal funds from being used by any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. § 1352.

- 7.0 State Restrictions on Lobbying** - In addition to the provisions contained above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this agreement.
- 8.0 Additional Restrictions on Lobbying** - The subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs.
- 9.0 "Pay-to-Stay"** - Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail", as referenced in this

condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon an offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

- 10.0 The Coastal Barrier Resources Act** - The subrecipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. No. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.

- 11.0 Background Check** - Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, F.S. shall apply.

All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

- 12.0** Such background investigations shall be conducted at the expense of the *employing agency or employee*. **Privacy Certification** - The subrecipient must comply with all confidentiality requirements of 42 U.S.C. § 3789g and 28 C.F.R. § 22 that are applicable to collection, use, and revelation of data or information. Subrecipient further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. §§ 22 and, in particular, 22.23. Privacy Certification forms must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.
- 13.0 Conferences and Inspection of Work** - Conferences may be held at the request of any

party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

**14.0 Insurance for Real Property and Equipment -** The subrecipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the non-Federal entity.

**15.0 Flood Disaster Protection Act -** The subrecipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

**16.0 Immigration and Nationality Act -** No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the subrecipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

## SECTION II: CIVIL RIGHTS REQUIREMENTS

**1.0 Participant Notification of Non-discrimination** FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in the delivery of services, benefits or in employment.

**2.0 Title VI of the Civil Rights Act of 1964 -** The subrecipient at any tier, must comply with all applicable requirements of 28 CFR § 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program.

**Equal Employment Opportunity Certification (EEOC) -** A subrecipient or implementing agency must submit an EEO Certification annually within 120 days of award.

**Equal Employment Opportunity Program (EEOC) -** A subrecipient or implementing agency must comply with all applicable requirements in 28 C.F.R. §42, Subpart E.

Subrecipients are advised to use the Office for Civil Rights EEO Reporting Tool to satisfy this condition (<https://ojp.gov/about/ocr/eeop.htm>).

**3.0 Title IX of the Education Amendments of 1972** If the subrecipient operates an education program or activity, the subrecipient must comply with all applicable requirements of 28 C.F.R. § 54, "Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance."

**4.0 Equal Treatment for Faith Based Organizations** The subrecipient at any tier, must comply with all applicable requirements of 28 C.F.R. § 38, "Equal Treatment for Faith Based Organizations", specifically including the provision for written notice to current or prospective program beneficiaries.

**5.0 Americans with Disabilities Act -** Subrecipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.

**6.0 Section 504 of the Rehabilitation Act of 1973 (28 C.F.R. § 42, Subpart G) -** Subrecipients must comply with all provisions prohibiting discrimination on the basis of disability in both employment and the delivery of services.

**7.0 Age Discrimination Act of 1975 -** Subrecipients must comply with all requirements in Subpart I of 28 C.F.R. §42 which prohibits discrimination based on age in federally assisted programs.

**8.0 Limited English Proficiency (LEP) -** In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, subrecipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises subrecipients to have a written LEP Language Access Plan. For more information visit [www.lep.gov](http://www.lep.gov).

**9.0 Finding of Discrimination -** In the event a federal or state court or federal or state administrative agency makes, after a due process hearing, a finding of discrimination on the grounds of race, color, religion, national origin, sex, or disability against a subrecipient of funds, the subrecipient will forward a copy of the

finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.

- 10.0 Filing a Complaint** - If the subrecipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subrecipient, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at [info@fdle.state.fl.us](mailto:info@fdle.state.fl.us). Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7<sup>th</sup> Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

- 11.0 Retaliation** - In accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.
- 12.0 Non-discrimination Contract Requirements** - Subrecipients must include comprehensive Civil Rights nondiscrimination provisions in all contracts funded by the subrecipient.
- 13.0 Pass-through Requirements** - Subrecipients are responsible for the compliance of contractors and other entities to whom they pass-through funds including compliance with all Civil Rights requirements. These additional tier subrecipients must be made aware that they may file a discrimination complaint with the subrecipient, with FDLE, or with the USDOJ Office for Civil Rights and provided the contact information.

### **SECTION III: FINANCIAL REQUIREMENTS AND RESPONSIBILITY**

- 1.0 Fiscal Control and Fund Accounting Procedures** - All expenditures and cost accounting of funds shall conform to the DOJ Grants Financial Guide, the 28 C.F.R. § 66, and 2 C.F.R. § 200 as applicable, in their entirety.

Subrecipients are required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. Financial management

systems must be able to record and report on the receipt, obligation, and expenditure of grant funds; and able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and additional tiered subrecipients. The awarded funds may or may not be an interest bearing account, but any earned interest must be used for program purposes and expended before the federal grant period end date. Any unexpended interest remaining at the end of the federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to DOJ.

- 2.0 Match** - The value or amount of any "non-federal share," "match," or cost-sharing contribution incorporated into the approved budget is part of the "project cost" for purposes of the 2 C.F.R. § 200 Uniform Requirements, and is subject to audit. In general, the rules and restrictions that apply to award funds from federal sources also apply to funds in the approved budget that are provided as "match" or through "cost sharing."

### **SECTION IV: SUBAWARD MANAGEMENT AND REPORTING REQUIREMENTS**

- 1.0 Obligation of Subrecipient Funds** - Subaward funds shall not under any circumstances be obligated prior to the effective date, or subsequent to the termination date, of the period of performance. Only project costs incurred on or after the effective date, and on or prior to the termination date of the subrecipient's project are eligible for reimbursement. All payments must be completed within thirty (30) days of the end of the subaward period of performance.
- 2.0 Use of Funds** - Grant funds may be used only for the purposes in the subrecipient's approved application. Subrecipients shall not undertake any work or activities not described in the approved grant award, and that use staff, equipment, or other goods or services paid for with grant funds, without prior written approval from FDLE's Office of Criminal Justice Grants (OCJG).
- 3.0 Advance Funding** - Advance funding may be provided to a subrecipient upon a written request to the Department. The request must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

#### **4.0 Performance and Reporting**

**Reporting Time Frames** - The Project Director,

Application Manager, or Performance Contacts shall submit Monthly or Quarterly Project Performance Reports to the Department, within fifteen (15) days after the end of the reporting period. In addition, if the subaward period is extended beyond the "original" project period, additional Project Performance Reports shall be submitted.

**Failure to Submit** - Performance Reports that are not complete, accurate, and timely may result in sanctions, as specified in Section IV, Subaward Management and Reporting Requirements.

**Report Contents** - Performance Reports must include a response to all objectives included in your subaward. A detailed response is required in the narrative portion for yes/no performance objectives. Submitted performance reports must clearly articulate, where appropriate, performance during the execution of the award has met a standard against which the subrecipient's performance can be measured. The narrative must also reflect on accomplishments for the period and identify problems with project implementation and address actions being taken to resolve the problems. Additional information may be required if necessary to comply with federal reporting requirements.

**Requirement for Data on Performance and Effectiveness Under the Award** - The subrecipient must collect and maintain data that measures the performance and effectiveness of work under this award. The data must be provided to OCJG in the manner (including within the timeframes) specified by OCJG. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

**Financial Consequences for Failure to Perform** - In accordance with s. 215.971 F.S., payments for state and federal financial assistance must be directly related to the scope of work and meet the minimum level of performance for successful completion. If the subrecipient fails to meet the minimum level of service or performance identified in this agreement, or is customary for subawards, then the Department will apply financial consequences commensurate with the deficiency. Financial consequences may include but are not limited to withholding payments or reimbursement until the deficiency is resolved, tendering only partial payment/reimbursement, imposition of other financial consequences according to the Standard Conditions as applicable, and/or termination of contract and requisition of goods or

services from an alternate source. Any payment made in reliance on subrecipient's evidence of performance, which evidence is subsequently determined to be erroneous, will be immediately due to the Department as an overpayment.

**5.0 Grant Adjustments** - Subrecipients must submit a grant adjustment through SIMON for major substantive changes such as changes in project activities or scope of the project, target populations, service providers, implementation schedules, project director, and designs or research plans set forth in the approved agreement and for any budget changes that affect a cost category that was not included in the original budget. Adjustments are also required when there will be a transfer of 10% or more of the total budget between budget categories, or there is an indirect cost rate category change.

Subrecipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item.

Under no circumstances can transfers of funds increase the total budgeted award.

Requests for changes to the subaward agreement must be electronically signed by the subrecipient or implementing agency's chief official or the chief official's designee.

All requests for changes must be submitted in SIMON no later than ninety (90) days prior to grant expiration date.

## **6.0 Financial Expenditures and Reporting**

**Reporting Requirements** - The subrecipient shall have a choice of submitting either a Monthly or a Quarterly Project Expenditure Report to the Department. Project Expenditure Reports are due thirty (30) days after the end of the reporting period. In addition, if the subaward period is extended, additional Project Expenditure Reports shall be submitted.

All project expenditures for reimbursement of subrecipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the SIMON (Subgrant Information Management Online).

All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.

All reports must relate financial data to performance accomplishments.

Before the "final" Project Expenditure Report will be processed, the subrecipient must submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

Reports are to be submitted even when no reimbursement is being requested.

**Submission** - The report must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

- 7.0 Project Generated Income (PGI)** - All income generated as a direct result of a sub project shall be deemed program income. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity).

**Required Reports** - The subrecipient shall submit Quarterly PGI Earnings and Expenditures Reports to the Department within thirty (30) days after the end of the reporting period covering subaward project generated income and expenditures during the previous quarter. If any PGI remains unspent after the subaward ends, the subrecipient must continue submitting quarterly PGI reports until all funds are expended.

**PGI Expenditure** - Program income should be used as earned and expended as soon as possible and used to further the objects in which the award was made. Any unexpended PGI remaining at the end of the federal grant period must be submitted to OCJG for transmittal to the Bureau of Justice Assistance.

**Submission** - PGI Earnings and Expenditures reports must be electronically signed by the subrecipient or implementing agency's chief financial officer or the chief financial officer's designee.

- 8.0 Subrecipient Integrity and Performance Matters** - Requirement to report information on certain civil, criminal, and administrative proceedings to OCJG, SAM and FAPIIS.

The subrecipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, subrecipients of OJP awards are required to report information about

such proceedings, through the federal System for Award Management ("SAM"), to the designated federal integrity and performance system ("FAPIIS").

## SECTION V: MONITORING AND AUDITS

- 1.0 Access to Records** - The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the subrecipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the 28 C.F.R. § 66. At any time, a representative of the Department, the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right to visit the project site to monitor, inspect and assess work performed under this agreement.

The Department reserves the right to unilaterally terminate this agreement if the subrecipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of s. 119, F.S., unless specifically exempted and/or made confidential by operation of s. 119, F.S., and made or received by the subrecipient or its contractor in conjunction with this agreement.

The subrecipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

- 2.0 Monitoring** - The recipient agrees to comply with FDLE's grant monitoring guidelines, protocols, and procedures; and to cooperate with FDLE on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide FDLE all documentation necessary to complete monitoring of the award. Further, the recipient agrees to abide by reasonable deadlines set by FDLE for providing requested documents. Failure to cooperate with grant monitoring activities may result in sanctions affecting the recipient's award, including, but not limited to: withholding and/or other restrictions on the recipient's access to funds, referral to the Office of the Inspector General for audit review, designation of the recipient as a FDLE High Risk grantee, or termination of award(s).

- 3.0 Property Management** - The subrecipient shall establish and administer a system to protect,

preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the DOJ Grants Financial Guide, and 28 C.F.R. § 66. This obligation continues as long as the subrecipient retains the property, notwithstanding expiration of this agreement.

**Property Use** - The subrecipient must use equipment acquired under a Federal award for the authorized purposes of the project during the period of performance, or until the property is no longer needed. Subrecipients must use, manage and dispose of equipment acquired under a Federal award in accordance with ss. 274, F.S. Tangible Property and 200.313, F.S., Equipment.

- 4.0 Subaward Closeout** - A Financial Closeout Audit shall be submitted to the Department within forty-five (45) days of the end date of the performance period.

The Financial Closeout Audit report located in SIMON must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

Subaward Closeout will be initiated by the Department after the Financial Closeout has been completed and approved. Failure to submit closeout reports timely will result in an Administrative Closeout by the Department.

- 5.0 High Risk Subrecipients** - If a subrecipient is designated "high risk" by a federal grant-making agency, currently or at any time during the course of the period of performance under this award, the subrecipient must disclose that fact and certain related information to FDLE's OCJG. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the subrecipient's past performance, or other programmatic or financial concerns with the subrecipient. The subrecipient's disclosure must include the following: 1. The federal awarding agency that currently designates the subrecipient high risk, 2. The date the subrecipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.
- 6.0 Imposition of Additional Requirements** - The subrecipient agrees to comply with any additional requirements that may be imposed by OCJG during the period of performance for this award, if the subrecipient is designated as "high risk" for purposes of the DOJ high-risk grantee list.

- 7.0 Retention of Records** - The subrecipient shall maintain all records and documents for a minimum of five (5) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons. The subrecipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:

<http://dos.myflorida.com/media/693574/general-records-schedulegs01-sl.pdf>.

- 8.0 Disputes and Appeals** - The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subrecipient shall proceed diligently with the performance of this agreement according to the Department's decision. If the subrecipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subrecipient's right to appeal the Department's decision is contained in § 120, F.S., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S.

- 9.0 Failure to Address Audit Issues** - The subrecipient understands and agrees that FDLE's OCJG may withhold award funds, or may impose award conditions or other related requirements, if (as determined by OCJG) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the 2 C.F.R. § 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews.

- 10.0 Single Annual Audit** - Subrecipients that expend \$750,000 or more in a year in federal awards shall have a single audit or program-specific audit conducted for that year. The audit shall be performed in accordance with the OMB 2 C.F.R. § 200 Subpart F – Audit Requirements and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subrecipient shall submit an annual financial audit that meets the requirements of 2 C.F.R. § 200 Subpart F, "Audit Requirements" s. 215.97, F.S., "Florida Single Audit Act" and Rules of the Auditor General, Chapter 10.550, and Chapter

10.650, "Local Governmental Entity Audits" and "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

A complete audit report that covers any portion of the effective dates of this agreement must be performed and submitted to the Federal Audit Clearinghouse within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Submissions must include required elements described in Appendix X to 2 C.F.R. § 200 on the specified Data Collection Form (Form SF-SAC).

Records shall be made available upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department.

Subrecipients that expend less than \$750,000 in federal awards during a fiscal year are exempt from the Single Audit Act audit requirements for that fiscal year. In this case, written notification, in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the subrecipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

## SECTION VI: SUBAWARD PROCUREMENT AND COST PRINCIPLES

- 1.0 Procurement Procedures** - Subrecipients must have written procedures for procurement transactions. Procedures must conform to applicable Federal law and the standards in 2 C.F.R. §§ 200.318-326.

This condition applies to agreements that OCJG considers to be a procurement "contract", and not a second tier subaward.

The details of the advance approval requirement to use a noncompetitive approach in a procurement contract under this award are posed on the OJP website at <https://oip.gov/funding/Explore/NoncompetitiveProcurement.htm>.

Additional information on Federal purchasing guidelines can be found in the Guide to Procurements Under DOJ Grants and Cooperative agreements at <https://ojp.gov/funding/Implement/Resources/GuideToProcurementProcedures.pdf>.

- 2.0 Cost Analysis** - A cost analysis must be performed by the subrecipient if the cost or price

is at or above the \$35,000 acquisition threshold and the contract was awarded non-competitively in accordance with s. 216.3475, F.S. The subrecipient must maintain records to support the cost analysis, which includes a detailed budget, documented review of individual cost elements for allowability, reasonableness, and necessity. See also Chief Financial Officer Memorandum No. 02 (2012-2013).

- 3.0 Allowable Costs** - Allowance for costs incurred under the subaward shall be determined according to the general principles and standards for selected cost items set forth in the DOJ Grants Financial Guide, 28 C.F.R. § 66, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments", and 2 C.F.R. § 200.405(e), "Cost Principles".
- 4.0 Unallowable Costs** - Payments made for costs determined to be unallowable by either the Federal awarding agency, or the Department, either as direct or indirect costs, must be refunded (including interest) to FDLE and the Federal Government in accordance with instructions that determined the costs are unallowable unless state or Federal statute or regulation directs otherwise. See also 2 C.F.R. §§ 200.300-309.
- 5.0 Indirect Cost Rate** - A subrecipient that is eligible to use the "de minimis" indirect cost rate described in 2 C.F.R. § 200.414(f), and elects to do so, must advise OCJG in writing of both its eligibility and its election, and must comply with all associated requirements in the 2 C.F.R. § 200 and Appendix VII.
- 6.0 Sole Source** - If the project requires a non-competitive purchase from a sole source, the subrecipient must complete the Sole Source Justification for Services and Equipment Form and submit to OCJG upon application for pre-approval. If the subrecipient is a state agency and the cost meets or exceeds \$150,000, the subrecipient must also receive approval from the Department of Management Services (DMS) (s. 287.057(5), F.S.). The Sole Source form must be signed by the subrecipient or implementing agency chief official or chief official designee. Additional details on the sole source requirement can be found at 2 C.F.R. § 200 and the DOJ Grants Financial Guide.
- 7.0 Personal Services** - Subrecipients may use grant funds for eligible personal services including salaries, wages, and fringe benefits, including overtime in accordance with the DOJ Grants Financial Guide Section 3.9 - Compensation for Personal Services, consistent with the principles set out in 2 C.F.R. § 200, Subpart E and those permitted in the federal

program's authorizing legislation. Subrecipient employees should be compensated with overtime payments for work performed in excess of the established work week and in accordance with the subrecipient's written compensation and pay plan.

**Documentation** - Charges for salaries, wages, and fringe benefits must be supported by a system of internal controls providing reasonable assurance that charges are accurate, allowable, and properly allocated. Documentation supporting charges must be incorporated into the official records of the organization.

Charges made to the Personnel Budget Category must reasonably reflect the total time and activity for which the employee is compensated by the organization and cover both federally funded and all other activities. The records may include the use of subsidiary records as defined in the organization's written policies. Where grant subrecipients work on multiple grant programs or cost activities, documentation must support a reasonable allocation or distribution of costs among specific activities or cost objectives.

- 8.0 Contractual Services** - The subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts as described in 2 C.F.R. § 200.318, General procurement.

**Requirements for Contractors of Subrecipients** - The subrecipient assures the compliance of all contractors with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended 42 U.S.C. § 3711 et seq.; the provisions of the current edition of the DOJ Grants Financial Guide ([https://ojp.gov/financialguide/doj/pdfs/DOJ\\_FinancialGuide.pdf](https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf)); and all other applicable federal and state laws, orders, circulars, or regulations. The subrecipient must pass-through all requirements and conditions applicable to the federal grant award/subaward to any subcontract. The term "contractor" is used rather than the term "vendor" and means an entity that receives a contract as defined in 2 C.F.R. § 200.22, the nature of the contractual relationship determines the type of agreement.

**Approval of Consultant Contracts**  
Compensation for individual consultant services must be reasonable and consistent with that paid for similar services in the marketplace. The Federal awarding agency and pass-through entity must review and approve in writing all consultant contracts prior to employment of a consultant when the individual compensation rate exceeds \$650 (excluding travel and subsistence costs) per

eight-hour day, or \$81.25 per hour. A detailed justification must be submitted to and approved by FDLE, who will coordinate written approval of the Federal awarding agency, prior to subrecipient obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide Section 3.6 Consultant Rates, 28 C.F.R. § 66, and applicable state statutes. The Department's approval of the subrecipient agreement does not constitute approval of individual consultant contracts or rates. If consultants are hired through a competitive bidding process (not sole source), the \$650 threshold does not apply.

**FFATA Reporting Requirements** - Subrecipients that enter into subawards of \$25,000 or more should review the Federal Funding Accountability and Transparency Act of 2006 (FFATA), website for additional reporting requirements at <https://ojp.gov/funding/Explore/FFATA.htm>

- 9.0 Travel and Training** - The cost of all travel shall be reimbursed according to the subrecipient's written travel policy. If the subrecipient does not have a written travel policy, cost of all travel will be reimbursed according to State of Florida Travel Guidelines § 112.061, F.S. Any foreign travel must obtain prior written approval from the Federal awarding agency and pass-through entity.
- 10.0 Expenses Related to Conferences, Meetings, Trainings, and Other Events** - Subgrant funds requested for meetings, retreats, seminars, symposia, events, and group training activities and related expenses must receive written pre-approval from the Federal awarding agency and pass-through entity and comply with all provisions in 2 C.F.R. § 200.432 and DOJ Grants Financial Guide Section 3.10; Conference Approval, Planning, and Reporting. Subgrant applications requesting approval for meeting, training, conference, or other event costs must include a completed Conference & Events Submission Form for approval prior to obligating subgrant funds for these purposes.
- 11.0 Training and Training Materials** - Any training or training materials that has been developed or delivered with grant funding under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at [www.ojp.gov/funding/ojptrainingguidingprinciples.htm](http://www.ojp.gov/funding/ojptrainingguidingprinciples.htm).
- 12.0 Publications, Media and Patents Ownership of Data and Creative Material** - Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate

to this agreement is governed by the terms of the DOJ Grants Financial Guide, 28 C.F.R. §§ 66, and 200.315.

**Publication or Printing of Materials** - Publication costs for electronic and print media, including distribution, promotion, and general handling are allowable. If these costs are not identifiable with a particular direct cost objective, it should be allocated as indirect costs. Publication includes writing, editing, and preparing the illustrated material (including videos and electronic mediums).

Subrecipients must request pre-approval in writing for page charges for professional journal publications. All publication materials must comply with provisions in 2 C.F.R. § 200.461 and DOJ Grants Financial Guide, Section 3.9; Allowable Costs – Publication.

Subrecipients must submit for review and approval one (1) copy of any curricula, training materials, or any other written materials to be published, including web-based materials and website content, to be paid under this award at least thirty (30) days prior to the targeted dissemination date.

All electronic and print materials paid under this award must contain the following statements identifying the federal award:

- 1) "This project was supported by Grant No. 2017-MU-BX-0187 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

Any website that funded in whole or in part under this award must include the same statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a web-based service, including any pages that provide results or outputs from the service.

**Patents** - Subrecipients are subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce (27 C.F.R. § 401 and 2 C.F.R. § 200.315(c)).

Subrecipients must promptly and fully report to FDLE and the Federal awarding agency if any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored under this award.

### 13.0 Information Technology Projects

**Criminal Intelligence Systems** - The subrecipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. § 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. § 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. § 23.20(g). Should any violation of 28 C.F.R. § 23 occur, the subrecipient may be fined as per 42 U.S.C. § 3789g(c)-(d). The subrecipient may not satisfy such a fine with federal funds.

The subrecipient understands and agrees that no awarded funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. In doing so the subrecipient agrees that these restrictions will not limit the use of awarded funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

**State IT Point of Contact** - The subrecipient must ensure that the State IT Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditures period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the subrecipient must maintain an administrative file documenting the meeting of this requirement. For a list of State IT Points of Contact, go to <https://it.ojp.gov/technology-contacts>.

The State IT Point of Contact will ensure the subrecipient's project follows a statewide comprehensive strategy for information sharing systems that improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole.

**Interstate Connectivity** - To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for

law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subrecipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

**ADP Justification** - The subrecipient must complete an Automated Data Processing (ADP) equipment and Software and Criminal Justice Information and Communication Systems Request for Approval form if the purchase of any ADP equipment is to be made. This form must be submitted upon application if applicable and pre-approval must be obtained. ADP Justification must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

#### 14.0 Interoperable Communications Guidance -

Subrecipients using funds to support emergency communications activities must comply with the current SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at

[www.safecomprogram.gov/library/lists/library/DispForm.aspx?ID=334](http://www.safecomprogram.gov/library/lists/library/DispForm.aspx?ID=334).

Subrecipients interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The subrecipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the subrecipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Subrecipients must provide a listing of all communications equipment purchased with grant

award funding (plus the quantity purchased of each item) to FDLE once items are procured during any periodic programmatic progress reports.

**15.0 Global Standards Package** - In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at [www.it.ojp.gov/gsp/grantcondition](http://www.it.ojp.gov/gsp/grantcondition). Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

## SECTION VII: COMPLIANCE WITH 8 U.S.C. § 1373

1.0 In regards to the program or activity funded under this subaward and throughout the period of performance for this award, no state or local government entity, agency or official may prohibit or in any way restrict:

Any government entity or official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or a government entity or agency from sending, requesting or receiving, maintaining, or exchanging information regarding immigration status as described in 8 U.S.C. 1373(b). For the purposes of this subaward, any prohibition (or restriction) that violates this condition is an "information-communication restriction."

2.0 A subaward to a state or local government or a public institution of higher education, cannot be made unless a properly executed certification of compliance with 8 U.S.C. 1373, signed by the chief legal officer of the subrecipient entity has been received by OCJG. Similarly, subrecipients cannot make a further subaward to a state or local government or a public institution of higher education, unless it first obtains a properly executed certification of compliance with 8 U.S.C. 1373 signed by the chief legal officer of the third tier subrecipient.

3.0 Funding under this award cannot be subawarded to any subrecipient at any tier that is either a state or unit of local government or a public institution of higher education that is subject to any "information-communication restriction."

4.0 Subrecipients must notify FDLE (in writing) if it has credible evidence that indicates that a funded program or activity of a subrecipient at any tier that is either a state or local government or a public institution of higher education, may be subject to any "information-communication restriction."

5.0 For **STATE AGENCIES**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A state statute or a state rule, regulation, policy or practice must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A state statute, or a state rule, regulation, policy or practice must be in place that is designed to ensure that, when a state (or state contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

6.0 For units of **LOCAL GOVERNMENT**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that, when a local government (or local government contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

7.0 Monitoring of compliance with the requirements of this condition will be conducted by FDLE.

8.0 Nothing in this condition shall be understood to authorize any subrecipient at any tier to violate any federal law, including any applicable civil rights or nondiscrimination law.

**IMPORTANT NOTE:** Any questions about the meaning or scope of this condition should be directed to FDLE prior to award acceptance.

## **SECTION VIII: ADDITIONAL REQUIREMENTS**

1.0 **Environmental Protection Agency's (EPA) list of Violating Facilities** - The subrecipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

### **2.0 National Environmental Policy Act (NEPA)**

The subrecipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of subaward funds by the subrecipient. This applies to the following new activities whether or not they are being specifically funded with these subaward funds. That is, it applies as long as the activity is being conducted by the subrecipient or any third party and the activity needs to be undertaken in order to use these subaward funds. Accordingly, the subrecipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes.

If it is determined that any of the following activities will be funded by the grant, the recipient agrees to contact FDLE OCJG.

- 1) New construction;
- 2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain; a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- 3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- 4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments; and
- 5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The subrecipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The subrecipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at <https://www.bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

- 3.0 **National Historic Preservation Act** – The Act will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
- 4.0 **Human Research Subjects** - Subrecipient agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection

of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

## 5.0 Disclosures

**Conflict of Interest** - The subrecipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. Subrecipients must disclose in writing any potential conflict of interest to FDLE (the non-federal pass-through entity).

**Violations of Criminal Law** - The subrecipient and implementing agency must disclose all violations of state or federal criminal law involving fraud, bribery or gratuity violations potentially affecting the sub award.

- 6.0 **Uniform Relocation Assistance and Real Property Acquisitions Act** - The subgrant recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

- 7.0 **Limitations on Government Employees Financed by Federal Assistance** - The subrecipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

- 8.0 **Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable** - Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

- 9.0 **Text Messaging While Driving** - Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), and §316.305, F.S., the subrecipient is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this subaward and to establish workplace safety policies and conduct education, awareness, and

other outreach to decrease crashes caused by distracted drivers.

persons are incorporated by reference and posted at

[www.ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm](http://www.ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm).

- 10.0 DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database** - If PREA program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at <https://www.ncjrs.gov/pdffiles1/nij/si001062.pdf>.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS (the National DNA Database operated by the FBI).

- 11.0 Environmental Requirements and Energy** - For subawards in excess of \$100,000, the subrecipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). The subrecipient must comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.
- 12.0 Other Federal Funds** - The subrecipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the subrecipient will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
- 13.0 Trafficking in Persons** - The subrecipient must comply with applicable requirements pertaining to prohibited conduct relating to the trafficking of persons, whether on the part of recipients, subrecipients or individuals defined as "employees" of the subrecipient. The details of the recipient and subrecipient obligations related to prohibited conduct related to trafficking in

F23  
11/2

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide



In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

Corrections on this page, including Strikeovers, whiteout, etc. are not acceptable.

**State of Florida**  
**Department of Law Enforcement**  
**Office of Criminal Justice Grants**

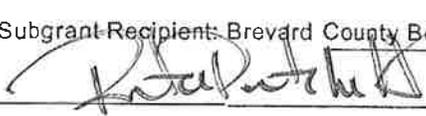
Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Subgrant Recipient**  
**Authorizing Official of Governmental Unit**  
**(Commission Chairman, Mayor, or Designated Representative)**

Typed Name of Subgrant Recipient: Brevard County Board of County Commissioners

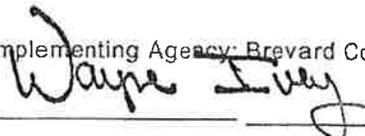
Signature: 

Typed Name and Title: Rita Pritchett, Chair

Date: November 13, 2018

**Implementing Agency**  
**Official, Administrator or Designated Representative**

Typed Name of Implementing Agency: Brevard County Sheriff's Office

Signature: 

Typed Name and Title: Wayne Ivey, Sheriff

Date: 11/6/18



**Background**

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

**1. Name of Organization and Address:**

Organization Name: Brevard County  
 Street1: 2725 Judge Fran Jamieson Way  
 Street2: Building C  
 City: Viera  
 State: FLORIDA  
 Zip Code: 32940

**2. Authorized Representative's Name and Title:**

Prefix:   First Name: Greg Middle Name:    
 Last Name: Pelham Suffix:    
 Title: Chief Financial Officer

3. Phone: (321) 264-5206 4. Fax:

5. Email: gregory.pelham@bcso.us

6. Year Established: <u> </u>	7. Employer Identification Number (EIN): <u>596000528</u>	8. DUNS Number: <u>98307320</u>
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9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)?  Yes  No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



**AUDIT INFORMATION**

9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?  Yes  No

9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?  Yes  No

If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.

For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.

10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):

- "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200
- Financial Statement Audit
- Defense Contract Agency Audit (DCAA)
- Other Audit & Agency (list type of audit):

None (if none, skip to question 13)

11. Most Recent Audit Report Issued:  Within the last 12 months  Within the last 2 years  Over 2 years ago  N/A

Name of Audit Agency/Firm: **Berman Hopkins Wright & LaHam**

**AUDITOR'S OPINION**

12. On the most recent audit, what was the auditor's opinion?

- Unqualified Opinion  Qualified Opinion  Disclaimer, Going Concern or Adverse Opinions  N/A: No audits as described above

Enter the number of findings (if none, enter "0"):

Enter the dollar amount of questioned costs (if none, enter "\$0"):

Were material weaknesses noted in the report or opinion?  Yes  No

13. Which of the following best describes the applicant entity's accounting system:

- Manual  Automated  Combination of manual and automated

14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?  Yes  No  Not Sure

15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget?  Yes  No  Not Sure

16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?  Yes  No  Not Sure



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?  Yes  No  Not Sure

18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?  Yes  No  Not Sure

19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R. Part 200?  Yes  No  Not Sure

**PROPERTY STANDARDS AND PROCUREMENT STANDARDS**

20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?  Yes  No  Not Sure

21. Does the applicant entity maintain written policies and procedures for procurement transactions that – (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?  Yes  No  Not Sure

22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?  Yes  No  Not Sure

22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?  Yes  No  Not Sure

23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system ([www.sam.gov](http://www.sam.gov)) for suspended or debarred sub-grantees and contractors, prior to award?  Yes  No  Not Sure

**TRAVEL POLICY**

24. Does the applicant entity:  
(a) maintain a standard travel policy?  Yes  No  
(b) adhere to the Federal Travel Regulation (FTR)?  Yes  No

**SUBRECIPIENT MANAGEMENT AND MONITORING**

25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award – (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?  Yes  No  Not Sure  
 N/A - Applicant does not make subawards under any OJP awards



26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

Yes  No  Not Sure  
 N/A - Applicant does not make subawards under any OJP awards

27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual is suspended or debarred from such subawards?

Yes  No  Not Sure  
 N/A - Applicant does not make subawards under any OJP awards

**DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES**

28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)

Yes  No  Not Sure

If "Yes", provide the following:

- (a) Name(s) of the federal awarding agency:  
[Redacted]
- (b) Date(s) the agency notified the applicant entity of the "high risk" designation:  
[Redacted]
- (c) Contact information for the "high risk" point of contact at the federal agency:  
 Name: [Redacted]  
 Phone: [Redacted]  
 Email: [Redacted]
- (d) Reason for "high risk" status, as set out by the federal agency:  
 [Redacted]

**CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY**

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR"), or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name: Grég Pelham Date: 2018-08-20

Title:  Executive Director  Chief Financial Officer  Chairman  
 Other: [Redacted]

Phone: (321) 264-5206 [Redacted]



## Lobbying, Debarment and Drug Free Workplace Certification

Upon completion, mail a copy of this form to:  
Florida Department of Law Enforcement  
Office of Criminal Justice Grants  
P.O. Box 1489  
Tallahassee, FL 32302-1489

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspensions (Non-procurement) and Government-wide Requirements for Drug Free Workplace (Grants)". The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Office of Criminal Justice Grants determines to award the covered transaction, grant, or cooperative agreement.

### 1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL – "Disclosure of Lobbying Activities", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. Debarment, Suspension and Other Responsibility Matters

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67 -

- (a) The applicant certifies that it and its principals:
  - (i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any federal department or agency;
  - (ii) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (a)(ii) of this certification; and
  - (iv) Have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default.
- (b) Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. Drug Free Workplace

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 -

- (a) The applicant certifies that it will or will continue to provide a drug-free workplace by:
  - (i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the subgrantee's workplace and specifying the actions that will



**Lobbying, Debarment  
and Drug Free Workplace  
Certification**

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Office of Criminal Justice Grants  
P.O. Box 1489  
Tallahassee, FL 32302-1489

- be taken against employees for violation of such prohibition;
- (ii) Establishing an on-going drug-free awareness program to inform employees about –
    - (1) The dangers of drug abuse in the workplace;
    - (2) The subgrantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
  - (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will –
    - (1) Abide by the terms of this statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of criminal drug statute occurring in the workplace no later than five (5) calendar days after the conviction.
  - (v) Notifying the agency, in writing, within ten (10) calendar days after receiving notice under subparagraph (iv)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice including position title to: Florida Department of Law Enforcement, Office of Criminal Justice Grants, P.O. Box 1489, Tallahassee, FL 32302-1489. Notice shall include the identification number(s) of each affected grant.
  - (vi) Taking one of the following actions within thirty (30) calendar days of receiving notice under subparagraph (iv)(2), with respect to any employee who is convicted –
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
  - (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i) through (vi).
- (b) The subgrantee may insert in the space provided below the site(s) for the performance or work done in connection with

As the duly authorized representative of the applicant, I hereby certify that applicant will comply with the following certifications:

- Certification Regarding Lobbying (required for applications over \$100,000)
- Certification Regarding Debarment, Suspension and Other Responsibility Matters (required for all applicants)
- Certification Regarding Drug-Free Workplace (required for state agency applications)

Subrecipient: Brevard County Board of Commissioners

Printed Name: Rita Pritchett

Signature: 

Title: Chair

Date: November 13, 2018



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**Lobbying, Debarment  
and Drug Free Workplace  
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P.O. Box 1489  
Tallahassee, FL 32302-1489

be taken against employees for violation of such prohibition;

- (ii) Establishing an on-going drug-free awareness program to inform employees about –
    - (1) The dangers of drug abuse in the workplace;
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- Certification Regarding Lobbying (required for applications over \$100,000)
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- Certification Regarding Drug-Free Workplace (required for state agency applications)

Subrecipient: Brevard County Sheriff's Office

Printed Name: Wayne Ivey

Signature: *Wayne Ivey*

Title: Sheriff

Date: 11/6/18



Office of the Mayor  
65 Stone Street | Cocoa, FL 32922  
Phone: (321) 433-8480 | Fax: (321) 433-8455

August 8, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Cocoa approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
----------------	---------------------------------	-----------

Sincerely,

Henry U. Parrish III  
Mayor  
City of Cocoa



# POLICE DEPARTMENT

City of Cocoa Beach, Florida



P.O. Box 322430  
20 South Orlando Avenue  
COCOA BEACH, FL 32932-2430

(321) 868-3271  
FAX (321) 868-3205  
[www.cityofcocoa-beach.com](http://www.cityofcocoa-beach.com)

August 16, 2018

Received  
SEP 12 2018  
BCSO FLA

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Cocoa Beach approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
----------------	---------------------------------	-----------

Sincerely,

Ben Malik  
Mayor, City of Cocoa Beach



## TOWN OF INDIALANTIC

216 Fifth Avenue, Indialantic, Florida 32903  
321-723-2242 Fax 321-984-3867

### MAYOR

David Berkman

### DEPUTY MAYOR

Stuart Glass

### COUNCIL MEMBERS

Dick Dunn

Randall Greer

Mary Jo Kilcullen

Christopher W. Chinault, Town Manager

Joan Clark, MMC, Town Clerk

August 8, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the Town of Indialantic approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
----------------	---------------------------------	-----------

Sincerely,

David Berkman  
Mayor  
Town of Indialantic



City of  
**INDIAN HARBOUR BEACH**  
Florida

2055 South Patrick Drive  
Indian Harbour Beach, FL 32937  
Phone 321-773-3181  
Fax 321-773-6080  
[www.indianharbourbeach.org](http://www.indianharbourbeach.org)

August 8, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

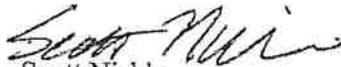
Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Indian Harbour Beach approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
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Thank you.

Sincerely,

  
Scott Nickle  
Deputy Mayor

# City of Melbourne



City Manager's Office

900 E. Strawbridge Avenue • Melbourne, FL 32901 • (321) 608-7200 • Fax (321) 608-7219

August 6, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Melbourne, Florida approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
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Sincerely,

A handwritten signature in black ink that reads "Michael A. McNees". The signature is written in a cursive style.

Michael A. McNees  
City Manager

MN:mb



# Town of Melbourne Beach

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August 7, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the Town of Melbourne Beach approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
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Sincerely,

A handwritten signature in black ink, appearing to read "James D. Simmons".

James D. Simmons  
Mayor  
Town of Melbourne Beach

507 Ocean Avenue, Melbourne Beach, FL 32951-2523

(321) 724-5860 Fax: (321) 984-8994 [www.melbournebeachfl.org](http://www.melbournebeachfl.org)



One Air Terminal Parkway  
Suite 220  
Melbourne, FL 32901 USA  
**MLBair.com**

August 22, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the Orlando Melbourne International Airport approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County	Prisoner Transportation Program	\$145,757
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Sincerely,

Greg Donovan, A.A.E.  
Executive Director



August 13, 2108

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

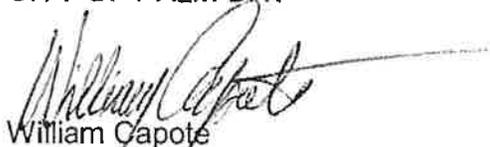
Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Palm Bay approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following project in Brevard County:

Brevard County      Prisoner Transportation Program \$145,757

Sincerely,

CITY OF PALM BAY

  
William Capote  
Mayor

Legislative Department

# TOWN OF PALM SHORES



“The Little Town That Cares”

August 10, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308

Dear Ms. Herring

In compliance with State of Florida Rule 11D-9, F.A.C., the Town of Palm Shores hereby approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County

Brevard County	Prisoner Transportation Program	\$145,757
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Your consideration of this request will be greatly appreciated.

Sincerely yours,

Mayor Carol M. McCormack  
Town of Palm Shores

# City of Titusville

555 SOUTH WASHINGTON AVENUE  
TITUSVILLE, FLORIDA 32796-3584  
POST OFFICE BOX 2806 (32781-2806)



OFFICE OF THE MAYOR  
(321) 567-3702  
FAX (321) 383-5704

*"Gateway to Nature and Space"*  
[www.titusville.com](http://www.titusville.com)

September 17, 2018

Ms. Petrina T. Herring, Bureau Chief  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with State of Florida Rule 11D-9, F.A.C., the City of Titusville approves the distribution of \$145,757 of Federal Fiscal Year 2017 Edward Byrne Memorial JAG Program funds for the following projects in Brevard County:

Brevard County Prisoner Transportation Program \$145,757

Sincerely,

A handwritten signature in cursive script that reads "Walt Johnson".

Walt Johnson  
Mayor

WJ/vb