

P(4) ✓ 12/19/12

(L)

Due to Funder 12/19/12

11/10/13  
Processed  
Original  
Subgrant

NAME OF DOCUMENT: Edward Byrne Memorial Broward Co. Sponsored Programs MOU

Approved Comm. Mtg. on: 12/04/2012 CAM#: 12-2500

ITEM:  M - 08  PH -  O -  CR -  R

Routing Origin:  CAO  ENG.  COMM. DEV.  OTHER Police

Also attached:  copy of CAR  copy of documents  ACM Form  # 4 originals

By: Tymira Mack forwarded to: \_\_\_\_\_ date: 12/5/12

Initials

2.) Approved as to Content: \_\_\_\_\_  
Department Director

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED  YES  NO  
Capital Improvement Projects (\*Note grant funded CIP)

Please Forward to Dawn Johnson in Finance

2.) Approved as to Funds Available: by \_\_\_\_\_ Date: 12-11-12  
Finance Director

Amount Required by Contract/Agreement \$ 56,943 Funding Source: US Dept of Homeland Security via FDLE via Broward County

Dept./Div. Police Index/Sub-object GTREND13 Project # \_\_\_\_\_

**\*NEXT: Please Forward directly to BRAD WEISSMAN at the Police Department \***

3.) City Attorney's Office: Approved as to Form:# \_\_\_\_\_ Originals to City Mgr. By: \_\_\_\_\_

|                  |       |                    |       |                   |            |
|------------------|-------|--------------------|-------|-------------------|------------|
| Harry A. Stewart | _____ | Cole Copertino     | _____ | Robert B. Dunckel | _____      |
| Ginger Wald      | _____ | D'Wayne Spence     | _____ | Paul G. Bangel    | _____      |
| Carrie Sarver    | _____ | DJ Williams-Persad | _____ | Brad Weissman     | <u>(e)</u> |

4.) Approved as to content: Assistant City Manager:

By: Stanley Hawthorne, Assistant City Manager By: Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward originals to Mayor.

6.) Mayor: Please sign as indicated and forward originals to Clerk.

7.) To City Clerk for attestation and City seal.

**INSTRUCTIONS TO CLERK'S OFFICE**

8.) City Clerk: forward all 4 originals of document to: Tymira Mack x 6705

Original Route form to Beverly Colehower  
 Attach \_\_\_\_\_ certified copies of Reso. # \_\_\_\_\_  Fill-in date

12/18

12-4-12  
m-8

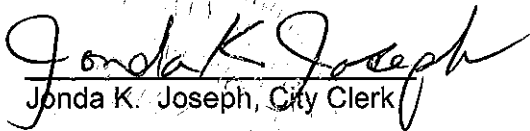
State of Florida  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, FL 32308

CERTIFICATE OF ACCEPTANCE OF SUBGRANT AWARD


The subgrantee, through its authorized representative, acknowledges receipt and acceptance of subgrant award number 2013-JAGC-BROW-5-D7-232, in the amount of \$56,943.00 for a project entitled, OPERATION TREND BUSTER, for the period of 10/01/2012 through 09/30/2013, to be implemented in accordance with the approved subgrant application, and subject to the Florida Department of Law Enforcement's Standard Conditions and any special conditions governing this subgrant.

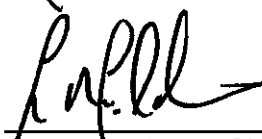
ATTEST:

CITY OF FORT LAUDERDALE, a  
Municipal corporation,


  
Jonda K. Joseph, City Clerk



By:   
John P. "Jack" Seiler, Mayor

By:   
Lee R. Feldman, City Manager

Approved as to form and legal sufficiency  
Subject to execution by the parties:

  
Bradley H. Weissman, Esquire  
Assistant City Attorney/Police Legal Advisor

18<sup>th</sup> Day of December, 2012

**State of Florida  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308**

**SUBGRANT AWARD CERTIFICATE**

Subgrantee: City of Fort Lauderdale

Date of Award: 10-8-12

Grant Period: From: 10/01/2012 TO: 09/30/2013

Project Title: OPERATION TREND BUSTER

Grant Number: 2013-JAGC-BROW-5-D7-232

Federal Funds: \$ 56,943.00

State Agency Match:

Local Agency Match: \$ 0.00

Total Project Cost: \$ 56,943.00

CFDA Number: 16.738

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Award is hereby made in the amount and for the period shown above of a subgrant under Title I of the Omnibus Crime Control and Safe Streets Act of 1968, P.L. 90-351, as amended, and the Anti-Drug Abuse Act of 1988, P.L. 100-690, to the above mentioned subgrantee and subject to any attached or special conditions.

This award is subject to all applicable rules, regulations, and conditions as contained in the Financial and Administrative Guide for Grants, Guideline Manual 7100 1D, Office of Justice Programs, Common Rule for State and Local Governments and A-87, or OMB Circulars A-110 or A-102, as applicable, and A-21, in their entirety. It is also subject to such further rules, regulations and policies as may be reasonably prescribed by the State or Federal Government consistent with the purposes and authorization of P.L. 90-351, as amended, and P.L. 100-690.

**Received**

OCT 17 2012

**Grants Administration**

**SUBGRANT AWARD CERTIFICATE (CONTINUED)**

This grant shall become effective on the beginning date of the grant period provided that within 30 days from the date of award, a properly executed Certificate of Acceptance of Subgrant Award is returned to the Department.

*Clayton H. Wilder*

\_\_\_\_\_  
Authorized Official  
Clayton H. Wilder  
Administrator

*10-8-12*

\_\_\_\_\_  
Date

This award is subject to special conditions (attached).

**Received**

OCT 17 2012

**Grants Administration**

**State of Florida  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308**

SPECIAL CONDITION(S) / GENERAL COMMENT(S)

Grantee: Office of Criminal Justice Grants

Grant Number: 2013-JAGC-BROW-5-D7-232

Grant Title: OPERATION TREND BUSTER

In addition to the general conditions applicable to fiscal administration, the grant is subject to the following Special Condition(s)/General Comment(s):

Ref# S22204: Prior to drawdown of federal funds, the City of Fort Lauderdale must submit a copy of the EEO approval letter from the USDOJ, Office for Civil Rights.

**Received**

OCT 17 2012

**Grants Administration**

# Application for Funding Assistance

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

## Section 1. Administration

### Subgrant Recipient

**Organization Name:** City of Fort Lauderdale

**County:** Broward

### Chief Official

**Name:** Jack Seiler

**Title:** Mayor

**Address:** 100 North Andrews Avenue

**City:** Fort Lauderdale

**State:** FL **Zip:** 33301-1016

**Phone:** 954-828-5314 **Ext:**

**Fax:**

**Email:** Jack.Seiler@fortlauderdale.gov

### Chief Financial Officer

**Name:** Lynda Flynn

**Title:** Treasurer

**Address:** 100 North Andrews Avenue

**City:** Ft . Lauderdale

**State:** FL **Zip:** 33301

**Phone:** 954-828-6572 **Ext:**

**Fax:** 954-828-6573

**Email:** LFlynn@fortlauderdale.gov

# Application for Funding Assistance

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

## Section 1: Administration

### Implementing Agency

**Organization Name:** Fort Lauderdale Police Department

**County:** Broward

### Chief Official

**Name:** Franklin Adderley

**Title:** Chief of Police

**Address:** 1300 West Broward Boulevard

**City:** Fort Lauderdale

**State:** FL **Zip:** 33312-1643

**Phone:** 954-828-5590 **Ext:**

**Fax:** 954-828-3030

**Email:** FAdderley@fortlauderdale.gov

### Project Director

**Name:** Tymira Mack

**Title:** Public Safety Grants Manager

**Address:** 100 North Andrews Avenue

**City:** Ft. Lauderdale

**State:** FL **Zip:** 33301

**Phone:** 954-828-6705 **Ext:**

**Fax:**

**Email:** tmack@fortlauderdale.gov

# Application for Funding Assistance

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

## Section 2: Project Overview

### General Project Information

**Project Title:** OPERATION TREND BUSTER  
**Subgrant Recipient:** City of Fort Lauderdale  
**Implementing Agency:** Fort Lauderdale Police Department  
**Project Start Date:** 10/1/2012      **End Date:** 9/30/2013

### Problem Identification

Operation Trend Buster 2 will provide the Fort Lauderdale Police Department (FLPD) the opportunity to build upon the foundation already set in place by our current program, Operation Trend Buster. Trend Buster 2 will give us the option to tactically adjust our effort to combat the ever changing and emerging trends related to increased usage of marijuana by middle and high school students as well as the sale/consumption of alcohol based energy drinks. In addition, Trend Buster 2 will transition from tobacco based compliance checks, to a component that will counter/address the emerging retail "Black Market" sale of synthetic cannabinoid substances such as "K2" and "Spice". Packaged similarly to marijuana and smoked, synthetic cannabinoid mimics the look and side effects of marijuana and is an illegal substance.

As documented within the April 2011 Broward Report, presented by James N. Hall of the South Florida Drug Observatory, NSU, there is a continuing increase in the use of marijuana by Broward County middle and high school students. The report cited a 2010 student survey on marijuana use in which 4.3% of middle school students and 15.3% of high school students admitted to current use (past 30-days). This trend among both age groups in Broward County has seen a steady increase since 2006 and mirrors that of a national trend which shows increased marijuana usage by these same age groups. The survey also noted that students within these age groups were more likely to have smoked marijuana in the previous 30-days than smoked cigarettes during the same time frame. A 2012 Broward Briefing (Volume V, Issue 6) by the Center for the Study and Prevention of Substance Abuse, revealed that marijuana surpassed alcohol in the number of juvenile criminal drug charges and addiction treatment admissions for Broward County. From July 2010 to June 2011, there were 1,112 juvenile criminal charges for marijuana offenses or 72% of the total alcohol and drug charges for those under 18 years of age. Marijuana also outnumbered all other substances as the primary drug for publicly-funded addiction treatment admissions for both adults and youth in Broward County during the first six months of 2011. Youth under 18 years of age accounted for 399 marijuana primary admissions or 61% of the 650 marijuana cases for all ages during the survey period.

Alcohol use by Broward County middle and high school students has been trending slightly downward, however the 2010 Youth Substance Abuse Survey noted that alcohol still remains the most commonly used drug among Broward County students (with overall prevalence rates of 52.0% for lifetime use and 25.9% for past 30-day use). Although not listed within the above-mentioned trend reports, the most current emerging trend related to alcohol abuse by underage persons is believed to be linked to the retail market's flavored energy drinks containing caffeine and a high volume of alcohol. These products are packaged in colorful cans and are sold in multiple fruit flavors. In addition to high levels of caffeine and taurine, each 23.5 oz can contains 12% alcohol which is equal to about three beers. These ingredients, when combined, can increase heart rate and blood pressure and may come with serious health risks. The



# Application for Funding Assistance

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

## Section 2: Project Overview

marketing strategies being utilized to sell these alcoholic energy drinks are cans packaged with vibrant colors and snazzy lettering to appeal to younger consumers. The alcohol percentage is often hidden in the fine print. Retail sellers often mistake these products identified as: Four Loko, Four Maxed, Spikes & Joose, as non-alcoholic energy drinks and sell them to minors without realizing that they are in fact products containing alcohol. According to a Wake Forest University School of Medicine study published in 2010, college students who mix alcohol with caffeine are more likely to suffer alcohol-related injuries than students who drink alcohol only. The study also reports that mixing alcohol with energy drinks encourages binge drinking.

Additionally, the economic burden resulting from underage substance abuse, placed upon the residence of Broward County and the State of Florida is staggering in both dollars and negative societal issues. Although limited to underage alcohol use, a trend report from the July 2009 Florida Substance Abuse Epidemiology Workgroup, found that underage drinking is a persistent public health problem that continues to generate significant costs to society from alcohol-related consequences such as: criminal activity/behavior, anti-social behavior, academic difficulties, risky sexual behavior, health problems, unintentional injuries, and traffic crashes. Florida faces a particularly tough challenge in this regard as Florida youth have higher than the national average rates of alcohol use. This same report also quantified the overall financial burden the underage drinking trend has placed on the State of Florida. The most recent analysis of information from a 2009 report titled "Economic Costs of Underage Drinking in Florida" showed that the total estimated cost of underage drinking in the State of Florida was \$3.073 billion. This state-wide total translates into an approximate cost of:

\$165 per Florida resident  
\$627 per youth under the age of 21  
\$1,818 per youth 14-20 years of age

These costs were the result of approximately 180 youth deaths and 71,602 injuries combined with other events directly attributed to underage alcohol use. The highest percentage of dollar costs were related to motor vehicle crashes at \$642.7 million, followed by \$316.3 million for property crimes. The geographical distribution of the costs of underage drinking provides information on the areas in the state in where the consequences are most highly concentrated. Six counties accounted for more than half of the total estimated cost in Florida. These counties are: Miami-Dade, Broward, Orange, Palm Beach, Hillsborough and Duval. The economic costs to Broward County alone, from the above-listed totals, amounted to \$258,700,000\* (\*2007 dollars). Statistics such as these substantiate the need to enhance/develop enforcement and training based components within Trend Buster 2 that address not only alcohol, but the use and availability of marijuana and synthetic cannabinoids that are made available to underage persons.

As part of Broward County, the City of Fort Lauderdale is striving to create an environment that discourages the use and availability of alcohol and illegal substances to underage persons. To that extent, the FLPD has retained Detective Spodnick as a reserve Police Officer, assigned to the Special Investigations Division with full arrest powers. He is tasked with developing and implementing responses to ongoing and newly identified underage substance abuse trends within the City. Resources required to maintain this proactive approach and address those emerging trends are very limited. Budget

# Application for Funding Assistance

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

## Section 2: Project Overview

reductions and competing initiatives continue to impact the FLPD's ability to fund projects such as this.

### **Project Summary (Scope of Work)**

Operation Trend Buster 2 will implement an enforcement based, comprehensive strategy to: (1) combat purchase and possession of marijuana adjacent to middle and high schools; (2) address the retail sale/delivery of illegal synthetic cannabinoid products; and, (3) address emerging trends related to caffeinated energy drinks containing alcohol that are being sold to underage persons.

The outcomes by the end of the project are:

- 1) the middle/high school surveillance operations will result in a cumulative total of 30 arrests;
- 2) 80% of clerks will have increased their knowledge of identifying false or altered forms of identification;
- 3) 90% of targeted alcohol retailers / vendors will be found in compliance as measured by compliance checks;
- 4) 60% of informational flyers will remain posted in targeted vendor locations.

In order to accomplish the above, a multi-faceted approach will be utilized that includes vendor awareness programs, enforcement-based undercover compliance checks and marijuana sale(s) surveillance operations. The compliance check operations will target the retail vendors who are making energy drinks that contain alcohol available for sale to persons under twenty-one years of age and investigation of vendors who sell illegal cannabinoid products.

The vendor awareness component will begin with hand-delivered letters to 120 selected alcohol retailers by December 1, 2012. These letters will inform the vendors of pending underage alcohol compliance checks and the need for compliance on their part. Additionally, these letters will contain the address for the FLPD's web page and associated links that will enable visitors to obtain up to date information regarding underage substance abuse, related emerging trends, contact information for reporting suspected alcohol/tobacco violations and links to the Drug Free Broward web site. A survey will be formulated and administered to the same vendors to assess their knowledge/store policy on the type, if any, of vendor awareness training provided to employees by the business at the time of employment. A post-survey letter will be administered to the vendors found to be lacking basic knowledge or tools to assist with identifying potential underage customers, including corrective suggestions to the recipient vendors.

Vendors will be asked to post a FLPD developed flyer which will inform store clerks and patrons of the illegality of the sale/purchase of alcohol containing energy drinks by minors. Two (2) informational ads/press releases will also run in the City's largest newspaper, the South Florida Sun Sentinel, informing all vendors about compliance with underage tobacco and drinking laws and contain a link to the FLPD's web page. The advertisements will run on strategic dates throughout the year.

The primary emphasis of Trend Buster 2 will be directed toward abating emerging trends associated with underage substance abuse. One such identifiable trend is the purchase/use of caffeinated energy drinks containing alcohol. These products, similarly

# Application for Funding Assistance

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

packaged to the non-alcohol energy drink, are most often sold by retail vendors without age verification of the purchaser. Operation Trend Buster 2 will utilize the services of investigative aides to assist with investigating these alcohol violations. These "investigative aides" will be utilized during the undercover compliance checks at retail alcohol selling locations throughout the City. A total of ten (10) alcohol compliance checks will be conducted in each of the City's three police districts every quarter, for a total of thirty (30) checks per quarter. This will yield a total of 120 checks during the grant period. It is estimated that about 96 hours of overtime and 48 reserve rate hours will be required to conduct these checks.

Trend Buster 2 will also focus on the "underground/black market" selling of illegal synthetic cannabinoid products. These products are suspected of being sold at non-chain retail convenience store/gas station type locations within the City. Investigative aides will assist with identifying the retail locations who sell these illegal products. It is anticipated that the same number of synthetic cannabinoid checks will be conducted as alcohol compliance checks noted above.

The compliance checks listed above have multiple functions. The first is compliance through enforcement. The second function is to recognize those vendors who are continually compliant with the underage laws. This recognition will be done in the form of a framed certificate presented to the alcohol retailers who are found compliant during the undercover checks. It is anticipated that about 105 certificates will be distributed by the Special Investigations Division.

Trend Buster 2 will afford the opportunity to enhance our ongoing efforts under Operation Trend Buster to address the continued increasing trend of marijuana usage by middle and high school students. Operation Trend Buster provided for a total of twenty-four (24) surveillance/enforcement operations during its grant period. That operational amount limited the number of schools selected for the surveillance/enforcement operations. Trend Buster 2 will allow for an increase in the number of surveillance/enforcement operations to a total of thirty-six (36) for the duration of the grant period which is a 50% increase in operations.

As part of this component, marijuana purchase/sale surveillances will be conducted at locations that have been identified as off-campus student gathering locations adjacent to the respective middle or high school. The City has over ten (10) middle and high schools within its geographical boundaries. Surveillance teams will consist of three (3) officers, in unmarked police vehicles, will monitor the gatherings and attempt to identify any seller/supplier of illegal drugs at the locations. The surveillance team, based upon the observed activity, will make the determination to either take immediate action or, if warranted, seek to identify the supply source location of the illegal substance and disrupt the supply chain at its source. The surveillance operations are fluid and require adaptive changes by the surveillance teams based upon the facts and events as they transpire. It is anticipated that there will be three (3) separate marijuana surveillance/enforcement operations each month, with nine (9) operations taking place per quarter. This will yield thirty-six (36) surveillance operations during the course of the grant. It is estimated that 288 hours of overtime and 144 reserve rate hours will be required to conduct this component.

Trend Buster 2 will also target three specifically identified underage alcohol party sites within the City. The first "site" is the Riverfront Entertainment Complex. This area has the largest concentration of alcohol-serving establishments within Fort Lauderdale and is a

# Application for Funding Assistance

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

known gathering place for minors during nighttime hours. The second site is Fort Lauderdale Beach during the Spring Break period. This multi-week event draws thousands of college students from around the country as well as local school students.

The third "site" involves monitoring underground parties that are being advertised on the website "facebook.com" and on high school Internet web blogs. These websites specifically invite underage peers to local parties at public and private venues where they can consume large amounts of alcohol. The officers who will be responsible for conducting the enforcement actions and the compliance checks have experience and training with conducting such operations. In fact, the lead officer who will be assigned to administer Operation Trend Buster 2, if funded, has more than thirty-one (31) years of experience in enforcing the underage drinking laws in Fort Lauderdale.

# Application for Funding Assistance

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

## Section 2: Project Overview

### Section Questions:

Question: Does the Subgrantee receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: Yes

Question: Does the Implementing Agency receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: Yes

Question: Part 1: In your business or organization's preceding completed fiscal year, did your business or organization (the subgrantee) receive (1) 80 percent or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? If yes, answer "yes" or "no" to Part 2, below.

Answer: No

Question: Part 2: Does the public have access to information about the compensation of the executives in your business or 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: N/A

# Application for Funding Assistance

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

## Section 3: Performance

### General Performance Info:

**Performance Reporting Frequency:** Quarterly

**Federal Purpose Area:** 001 - Law Enforcement Programs

**State Purpose Area:** A - Accomplishments: Includes any accomplishments during the reporting period.

### Activity Description

**Activity:** Law Enforcement  
**Target Group:** Juveniles - Male or female\*  
**Geographic Area:** Urban  
**Location Type:** City-Wide

**Address(es) :**

**Fort Lauderdale Police Department**  
1300 West Broward Boulevard  
Fort Lauderdale , FL 33312

### Objectives and Measures

**Objective:** A1 - Report on program accomplishments

**Measure:** Part 1

Please briefly describe what your program's accomplishments will be. Please include any benefits or changes to be observed as a result of JAG-funded activities, such as program completion, or changes in attitudes, skills, knowledge, or conditions. [500-character limit]

**Goal:** The outcomes by the end of the project are:

- 1) the middle/high school surveillance operations will result in a cumulative total of 30 arrests;
- 2) 80% of clerks will have increased their knowledge of identifying false or altered forms of identification;
- 3) 90% of targeted alcohol retailers / vendors will be found in compliance as measured by compliance checks;
- 4) 60% of informational flyers will remain posted in targeted vendor locations.

**Objective:** A2 - Report on usage of crimesolutions.gov Website

**Measure:** Part 1

Will you be using the crimesolutions.gov website?

# Application for Funding Assistance

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

## Section 3: Performance

Goal: Yes

**Objective:** A3 - Report on subgrants from grantees other than FDLE

Measure: Part 1

Are you a subrecipient of a JAG award from another JAG grantee (other than FDLE)? A Grantee can be a primary recipient of a JAG award from BJA and a subrecipient of a JAG award from another JAG award primary recipient.

Goal: No

Measure: Part 2

If yes, enter grantee organization or agency name.

Goal: NA

**State Purpose Area:** D - Personnel: Includes activities where individuals are hired, maintained, or paid overtime.

### Activity Description

**Activity:** Personnel  
**Target Group:** Personnel  
**Geographic Area:** Urban  
**Location Type:** Police Department  
**Address(es) :**

**City of Fort Lauderdale**  
100 North Andrews Avenue  
Fort Lauderdale , FL 33301

**Fort Lauderdale Police Department**  
1300 West Broward Boulevard  
Fort Lauderdale , FL 33312

### Objectives and Measures

**Objective:** D1 - Report on JAG funding allocated for personnel

Measure: Part 1

How much JAG funding has been allocated for personnel? Please report in dollars (\$).

Goal: \$48,098

# Application for Funding Assistance

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

## Section 3: Performance

**Objective:** D4 - Pay overtime hours with JAG funds

**Measure:** Part 1

How many overtime hours will be paid for with JAG funds? Overtime hours are those that non-exempt employees work beyond normal working hours (usually 40) during a workweek.

**Goal:** 1096

**Measure:** Part 2

What types of positions will be supported with overtime hours using JAG funds? In your response, please list all that apply from the following choices: Admin. Staff, Correctional Officers & Jailers, Counselors, Court Staff, Evaluators, Law Enforcement Officers, Legal Staff (defense attorneys, prosecutors, indigent defense), Program Managers, Trainers & Technical Assistance Specialists, Non-sworn Law Enforcement Personnel, Crime Analysts, Civilian Personnel, Other. If other, please specify.

**Goal:** Law Enforcement Officers

**State Purpose Area:** E - Equipment Purchases and/or Technology Investments: Includes activities where equipment purchases or technology investments were made that improve efficiency and/or cost savings.

### Activity Description

**Activity:** Equipment Purchases and/or Technology Investments

**Target Group:** Equipment Purchases and/or Technology Investments

**Geographic Area:** Urban

**Location Type:** Police Department

**Address(es) :**

**City of Fort Lauderdale**

100 North Andrews Avenue

Fort Lauderdale , FL 33301

**Fort Lauderdale Police Department**

1300 West Broward Boulevard

Fort Lauderdale , FL 33312

### Objectives and Measures

**Objective:** E1 - Report on JAG funding allocated for equipment and/or technology investments

**Measure:** Part 1

Application Ref # 2013-JAGC-2002

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Contract 2013-JAGC-BROW-5-D7-



# Application for Funding Assistance

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

## Section 3: Performance

How much JAG funding has been allocated for equipment and/or technology investments? Please report in dollars (\$)  
Goal: \$145.00

**Objective:** E2 - Make equipment purchases and/or technology investments

**Measure:** Part 3

Which types of equipment purchases and/or technology investments will be made with JAG funds? In your response, please list all that apply from the following choices: Security Systems (station or evidence room); In-car/On-person Camera Systems; Video Observation (station, community, pole cams); Undercover Surveillance Equipment (microphones, video); License Plate Readers; Vehicles; Radios; Other. If other, please specify.

Goal: Undercover Surveillance Equipment (Compact Digital Camera)

**State Purpose Area:** SZ - Seizures: Includes activities conducted by law enforcement such as confiscation of items related to task force activity. Seizures can include cash, guns, vehicles, gangs and drugs.

### Activity Description

**Activity:** Seizures  
**Target Group:** Seizures  
**Geographic Area:** Urban  
**Location Type:** Police Department

**Address(es) :**

**Fort Lauderdale Police Department**  
1300 West Broward Boulevard  
Fort Lauderdale , FL 33312

### Objectives and Measures

**Objective:** SZ1 - Report on JAG funding allocated for seizures

**Measure:** Part 1

How much JAG funding has been allocated for other seizures? Please report in dollars(\$).

Goal: \$56,943.00

**State Purpose Area:** TF - Task Forces: Activities of a specially trained unit or group for a specific purpose, conducted by any type of task force, or targeted or organized law enforcement initiatives such as anti-gang, drug, AMBER alert, or anti-human trafficking.

# Application for Funding Assistance

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

## Section 3. Performance

### Activity Description

**Activity:** Task Forces  
**Target Group:** Task Forces  
**Geographic Area:** Urban  
**Location Type:** Police Department

**Address(es) :**

**Fort Lauderdale Police Department**  
1300 West Broward Boulevard  
Fort Lauderdale , FL 33312

### Objectives and Measures

**Objective:** TF1 - Report on JAG funding allocated for task forces

**Measure:** Part 1

How much JAG funding has been allocated for task forces? Please report in dollars (\$).

**Goal:** \$56,943.00

**Measure:** Part 2

What types of task forces will the program provide with JAG funds? In your response, please list all that apply from the following choices: Anti-Gang Task force, Drug Task Force, AMBER Alert Task Force, Anti-Gun Task Force, Fugitive Task Force, Violent Crime Task Force, Other. If other, please specify. Please state whether the funded task force is multijurisdictional.

**Goal:** Other: Underage alcohol, marijuana, synthetic cannabinoids sales/use. (not multi-jurisdictional)

**Measure:** Part 3

Of the JAG funding allocated for task forces, how much was allocated for Drug Task Forces? Please report in dollars (\$).

**Goal:** \$56,943.00

**Measure:** Part 4

Is the task force multijurisdictional?

**Goal:** No

**Objective:** TF2 - Pay for hours used toward task force activity

**Measure:** Part 1

How many hours will be used toward task force activity paid for with JAG funds? Report in hours.

# Application for Funding Assistance

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

## Section 3 Performance

Goal: 1096

**Objective:** TF3 - Work investigations/cases

Measure: Part 1

How many NEW investigations/cases will be initiated during the reporting period?

Goal: 156

Measure: Part 2

How many investigations/cases will be closed?

Goal: 156

Measure: Part 3

Of the NEW investigations/cases to be initiated, how many will be drug-related?

Goal: 156

Measure: Part 4

Of the investigations/cases to be closed, how many will be drug-related?

Goal: 156

**Objective:** TF5 - Arrest individuals (including gang members)

Measure: Part 1

What is the total number of individuals (including gang members) to be arrested based on task force activity?

Goal: 15

Measure: Part 2

How many of these individuals will be charged with a misdemeanor?

Goal: 15

Measure: Part 3

How many of these individuals will be charged with a felony?

Goal: 0

Measure: Part 4

Of those to be arrested and charged with a misdemeanor, how many will be drug-related?

Goal: 15

Measure: Part 5

Of those to be arrested and charged with a felony, how many will be drug-

# Application for Funding Assistance

Florida Department of Law Enforcement  
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## Section 3: Performance

related?

Goal: 0

**Objective:** TF7 - Seize drugs. Report on this only if you have a drug task force.

Measure: Part 4

What will be the total amount of Marijuana (commercial grade, hydroponic, or synthetic/spice) seized? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 50

Measure: Part 13

What will be the total amount of other drugs seized? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force. Please indicate the type of other drugs to be seized.

Goal: 0

# Application for Funding Assistance

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

## Section 3: Performance

### Section Questions:

Question: If "other" was selected for the geographic area, please describe.

Answer: N/A

Question: If "other" was selected for location type, please describe.

Answer: N/A

# Application for Funding Assistance

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

## 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: Monthly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000319

### Budget:

| Budget Category          | Federal            | Match         | Total              |
|--------------------------|--------------------|---------------|--------------------|
| Salaries and Benefits    | \$48,098.00        | \$0.00        | \$48,098.00        |
| Contractual Services     | \$0.00             | \$0.00        | \$0.00             |
| Expenses                 | \$8,845.00         | \$0.00        | \$8,845.00         |
| Operating Capital Outlay | \$0.00             | \$0.00        | \$0.00             |
| Indirect Costs           | \$0.00             | \$0.00        | \$0.00             |
| <b>-- Totals --</b>      | <b>\$56,943.00</b> | <b>\$0.00</b> | <b>\$56,943.00</b> |
| Percentage               | 100.0              | 0.0           | 100.0              |

### Project Generated Income:

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

# Application for Funding Assistance

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

## Section 4: Financial (cont.)

### Budget Narrative:

Budget Narrative:

SALARIES and BENEFITS: \$48,098

The majority of the requested federal funds will be used to pay for reserve and overtime salary expenses associated with conducting surveillances to identify marijuana sellers adjacent to schools, compliance check investigations and three targeted enforcement actions.

Marijuana Enforcement Operations:

288 hours x \$57.00/hour (approx. overtime rate) = \$16,416  
144 hours x \$25.00/hour (reserve salary rate) = \$3,600  
Total 432 hours = \$20,016

Alcohol Compliance Checks:

A total of 120 alcohol compliance checks will be conducted, with 30 conducted during each quarter of the grant period.

96 hours x \$57.00/hour (approx. overtime rate) = \$5,472  
48 hours x \$25.00/hour (reserve salary rate) = \$1,200  
Total 144 hours = \$6,672

Synthetic Cannabinoids Compliance Checks:

A total of 120 Synthetic Cannabinoids compliance checks will be conducted, with 30 conducted during each quarter of the grant period.

96 hours x \$57.00/hour (approx. overtime rate) = \$5,472  
48 hours x \$25.00/hour (reserve salary rate) = \$1,200  
Total 144 hours = \$6,672

Three Targeted Enforcement Actions:

(1) Spring Break 2012  
8 hrs/day x 5 days/week x 5 weeks = 200 hrs.  
200 hrs. x \$25.00/hour(reserve salary rate) = \$5,000

(2) Riverfront Complex  
5 hrs/day x 1 day/month x 12 months x 2 officers = 120 hrs.  
60 hrs. x \$57.00/hour(approx. overtime rate)= \$3,420  
60 hrs. x \$25.00/hour(reserve salary rate) = \$1,500

(3)facebook.com parties  
8 events x 7 hrs/event x 1 officer = 56 hrs.  
56 hrs x \$25.00/hour(reserve salary rate) = \$1,400

Targeted Enforcement Totals

60 hours x \$57.00/hour (approx. overtime rate) = \$ 3,420  
316 hours x \$25.00/hour (reserve salary rate) = \$ 7,900  
Total 376 hours = \$11,320

# Application for Funding Assistance

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## Budget Narrative (Continued):

Total Salaries = \$44,680

Payroll Taxes = \$44,680 x .0765 = \$3,418

TOTAL SALARIES & BENEFITS = \$48,098

EXPENSES: \$8,845

Supplies - Compact Digital Camera: \$145.00

As a tool for maintaining a visual record of those persons issued NTA's, potential suspects and/or evidence seized during these operations, a compact digital camera is needed for Trend Buster operations.

Other (Vehicle Rental): \$8,700

The marijuana surveillance/enforcement operations and the compliance checks/enforcement components of "Trend Buster 2" require the use of undercover tactics on the part of the undercover decoy and the undercover police officer monitoring the decoy's activity and safety. The total cost of the rental vehicle for the entire length of the grant period is estimated to be: \$725 mo x 12 months = \$8,700.

TOTAL FEDERAL FUNDS = \$56,943



# Application for Funding Assistance

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

## Section 4. Financial

### Section Questions:

Question: If salaries and benefits are included in the budget as actual costs for staff in the implementing agency, is there a net personnel increase, or a continued net personnel increase from the previous Byrne program?

Answer: No

Question: If benefits are to be included, are they reflected in the budget narrative?

Answer: N/A

Question: Indicate the Operating Capital Outlay threshold established by the subgrantee or implementing agency, if it is the sheriff's office.

Answer: \$5,000

Question: If indirect cost is included in the budget, indicate the basis for the plan (e.g. percent of salaries and benefits), and provide documentation of the appropriate approval of this plan.

Answer: N/A

Question: If the budget includes services based on unit costs, provide a definition and cost for each service as part of the budget narrative for contractual services. Include the basis for the unit costs and how recently the basis was established or updated.

Answer: N/A

## Standard Conditions

Conditions of agreement requiring compliance by units of local government (subgrant recipients), implementing agencies, and state agencies upon signed acceptance of the subgrant award appear in this section. Upon approval of this subgrant, the approved application and the following terms of conditions will become binding. Failure to comply with provisions of this agreement will result in required corrective action up to and including project costs being disallowed and termination of the project, as specified in item 18 of this section.

- 1. All Subgrant Recipients must comply with the financial and administrative requirements set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs (OJP) Financial Guide (Financial Guide) ([www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm)) and the Edward Byrne Memorial Justice Assistance Grant (JAG) program guidance ([www.bja.gov/ProgramDetails.aspx?Program\\_ID=59](http://www.bja.gov/ProgramDetails.aspx?Program_ID=59)) as well as Federal statutes, regulations, policies, guidelines and requirements and Florida laws and regulations including but not limited to:**

- Florida Administrative Code, Chapter 11D-9, "Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program": [www.flrules.org/](http://www.flrules.org/)
- Office of Management and Budget (OMB) Circulars: [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars)
  - A-21 (2 CFR 220), "Cost Principles for Educational Institutions"
  - A-87 (2 CFR 225), "Cost Principles for State, Local and Indian Tribal Governments"
  - A-102, "Grants and Cooperative Agreements with State and Local Governments"
  - A-110 (2 CFR 215), "Uniform Administrative Requirements for Grants and Cooperative Agreements"
  - A-122 (2 CFR 230), "Cost Principles for Non-Profit Organizations"
  - A-133, "Audits of States, Local Governments, and Non-Profit Organizations"
- Code of Federal Regulations: [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/)
  - 2 CFR 175.15(b), "Award Term for Trafficking in Persons"
  - 28 CFR 38, "Equal Treatment for Faith-Based Organizations"
  - 28 CFR 66, "U.S. Department of Justice Common Rule for State And Local Governments" (Common Rule)
  - 28 CFR 83, "Government-Wide Requirements for Drug-Free Workplace (Grants)"
  - 28 CFR 18, 22, 23, 30, 35, 42, 61, and 63
- Public Law 109-162, Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program: [www.bja.gov/ProgramDetails.aspx?Program\\_ID=59](http://www.bja.gov/ProgramDetails.aspx?Program_ID=59).
- United States Code: [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/)
  - 42 U.S.C. 3711 et seq., "Omnibus Crime Control and Safe Streets Act of 1968"
- State of Florida General Records Schedule GS1-SL for State and Local Government Agencies: [dliis.dos.state.fl.us/barm/genschedules/GS1-SL.pdf](http://dliis.dos.state.fl.us/barm/genschedules/GS1-SL.pdf).

- 2. Requirements for Contractors of Subgrant Recipients**

The subgrant recipient 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. at [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/)); the provisions of the current edition of the Office of Justice Programs *Financial Guide* ([www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm)); and all other applicable State and Federal laws, orders, circulars, or regulations.

**3. Allowable Costs**

- a. Allowance for costs incurred under the subgrant shall be determined according to the general principles and standards for selected cost items set forth in the Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State And Local Governments and federal OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments," or OMB Circular A-21, "Cost Principles for Educational Institutions."
- b. All procedures employed in the use of federal funds for any procurement shall be according to U.S. Department of Justice Common Rule for State and Local Governments, or OMB Circular A-110, or OMB Circular A-102, and Florida law to be eligible for reimbursement.

**4. Reports**

a. Project Performance Reports

- (1) Reporting Time Frames: The subgrant recipient shall submit Quarterly Project Performance Reports to the Florida Department of Law Enforcement, hereafter known as the Department, within fifteen (15) days after the end of the reporting period. In addition, if the subgrant award period is extended beyond the "original" project period, additional Quarterly Project Performance Reports shall be submitted.

Failure to submit Quarterly Performance Reports that are complete, accurate, and timely may result in sanctions, as specified in item 18, Performance of Agreement Provisions.

- (2) Report Contents: Performance Reports must include a response to all objectives included in your subgrant. A detailed response is required in the narrative portion for yes/no performance objectives. The narrative must also reflect on accomplishments for the quarter 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.
- (3) Submission: Performance Reports may be submitted by the Project Director, Application Manager, or Performance Contacts.

b. Financial Reports

(1) Project Expenditure Reports

- (a) The subgrant recipient 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 subgrant award period is extended, additional Project Expenditure Reports shall be submitted. Project Expenditure Reports for grants made under the Recovery Act must be submitted monthly. See the Recovery Act Conditions for additional information.
- (b) All project expenditures for reimbursement of subgrant recipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the Subgrant Information Management ON-line (SIMON) system.
- (c) All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.
- (d) Before the "final" Project Expenditure Report will be processed, the subgrant recipient must submit to the Department all outstanding project reports and must

**6. Payment Contingent on Appropriation and Available Funds**

The State of Florida's performance and 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 subgrant recipients for incurred costs is subject to available federal funds.

**7. Obligation of Subgrant Recipient Funds**

Subgrant funds shall not under any circumstances be obligated prior to the effective date or subsequent to the termination date of the subgrant period. Only project costs incurred on or after the effective date and on or prior to the termination date of the subgrant recipient's project are eligible for reimbursement. All payments must be completed within thirty (30) days of the end of the subgrant period.

**8. Advance Funding**

Advance funding may be provided to a subgrant recipient upon a written request to the Department. The request must be electronically signed by the subgrant recipient or implementing agency's chief financial officer or the chief financial officer's designee.

**9. Trust Funds**

- a. The unit of local government must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.
- b. The account may earn interest, 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 the Bureau of Justice Assistance.

**10. Travel and Training**

The cost of all travel shall be reimbursed according to the subgrant recipient's written travel policy. If the subgrant recipient does not have a written travel policy, cost of all travel will be reimbursed according to § 112.061, Fla. Stat.

**11. Program Income (also known as Project Generated Income)**

- a. All income generated as a direct result of a subgrant project shall be deemed program income.
- b. Any project that will potentially earn PGI must submit an Earnings and Expenditures Report to report how much PGI was earned during each quarter. A report must be submitted each quarter even if no PGI was earned or expended. PGI Earnings and Expenditures reports must be electronically signed by the subgrant recipient or implementing agency's chief financial officer or the chief financial officer's designee.
- c. PGI expenditures require prior written approval from the Office of Criminal Justice Grants. Program income must be used for the purposes of and under the conditions applicable to the award. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. PGI budget requests must be signed by the subgrant recipient or implementing agency's chief financial officer or the chief financial officer's designee.
- d. Program income should be used as earned and expended as soon as possible. Any unexpended PGI remaining at the end of the Federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to the Bureau of Justice Assistance.

**12. Approval of Consultant Contracts**

The Department shall review and approve in writing all consultant contracts prior to employment of a consultant when the consultant's rate exceeds \$450 (excluding travel and subsistence costs) for an eight-hour day. A detailed justification must be submitted to and approved by FDLE prior to obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide, the Common Rule, and in applicable state statutes. The Department's approval of the subgrant recipient agreement does not constitute approval of consultant contracts. If consultants are hired through a competitive bidding process (not sole source), the \$450 threshold does not apply.

**13. Property Accountability**

- a. The subgrant recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or dispose of it pursuant to § 274, Fla. Stat.
- b. The subgrant recipient 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 Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State and Local Governments or the federal OMB Circular A-110 or A-102, as applicable. This obligation continues as long as the subgrant recipient retains the property, notwithstanding expiration of this agreement.

**14. 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 Office of Justice Programs Financial Guide (as amended), and the U.S. Department of Justice Common Rule for State and Local Governments, or the federal OMB Circular A-110 or A-102, as applicable.

**15. Copyright**

The awarding agency reserves a royalty-free non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes:

- a. The copyright in any work developed under an award or subaward, and
- b. Any rights of copyright to which a subgrant recipient or subrecipient purchases ownership with support funded under this grant agreement.

**16. Publication or Printing of Reports**

The subgrant recipient shall submit for review and approval one copy of any curricula, training materials, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) days prior to the targeted dissemination date.

All materials publicizing or resulting from award activities shall contain the following statements: "This project was supported by Grant No. [contact the Office of Criminal Justice Grants for award number] awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the 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 Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. 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."

**17. Audit**

- a. Subgrant recipients that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. The audit shall be performed in accordance with the federal OMB Circular A-133 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 subgrant recipient shall submit an annual financial audit that meets the requirements of § 11.45, Fla. Stat., "Definitions; duties; authorities; reports; rules."; § 215.97, Fla. Stat., "Florida Single Audit Act"; and Rules of the Auditor General, Chapter 10.550, "Local Governmental Entity Audits" and Chapter 10.650, "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."
- b. A complete audit report that covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than nine (9) months after the audit period. In order to be complete, the submitted report shall include any management letters issued separately and management's written response to all findings, both audit report and management letter findings. Incomplete audit reports will not be accepted by the Department.
- c. The subgrant recipient shall have all audits completed by an Independent Public Accountant (IPA). The IPA shall be either a Certified Public Accountant or a Licensed Public Accountant.
- d. The subgrant recipient shall take appropriate corrective action within six (6) months of the issue date of the audit report in instances of noncompliance with federal laws and regulations.
- e. The subgrant recipient shall ensure that audit working papers are made available to the Department, or its designee, upon request for a period of three (3) years from the date the audit report is issued, unless extended in writing by the Department.
- f. Subgrant recipients that expend less than \$500,000 in Federal awards during a fiscal year are exempt from the audit requirements of OMB Circular A-133 for that fiscal year. In this case, written notification, which can be 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 subgrant recipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.
- g. If this agreement is closed out without an audit, the Department reserves the right to recover any disallowed costs identified in an audit completed after such closeout.
- h. The completed audit report or written notification of audit exemption should be sent to the following address:

Florida Department of Law Enforcement  
Office of Criminal Justice Grants  
2331 Phillips Road  
Tallahassee, Florida 32308

**18. Performance of Agreement Provisions**

In the event of default, non-compliance or violation of any provision of this agreement by the subgrant recipient, the subgrant recipient's consultants and suppliers, or both, the Department shall impose sanctions it deems appropriate including withholding payments and cancellation, termination, or suspension of the agreement in whole or in part. In such event, the Department

shall notify the subgrant recipient of its decision thirty (30) days in advance of the effective date of such sanction. The subgrant recipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.

**19. Commencement of Project**

- a. If a project is not operational within 60 days of the original start date of the award period, the subgrant recipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.
- b. If a project is not operational within 90 days of the original start date of the award period, the subgrant recipient must submit a second statement to the Department explaining the implementation delay.
- c. 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 subgrant 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.

**20. Excusable Delays**

- a. Except with respect to defaults of consultants, the subgrant recipient shall not be in default by reason of any failure in performance of this agreement according to its terms (including any failure by the subgrant recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the subgrant recipient. Such causes include, but are not limited to, acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case, the failure to perform shall be beyond the control and without the fault or negligence of the subgrant recipient.
- b. If failure to perform is caused by failure of a consultant to perform or make progress, and if such failure arises out of causes beyond the control of subgrant recipient and consultant, and without fault or negligence of either of them, the subgrant recipient shall not be deemed in default, unless:
  - (1) Supplies or services to be furnished by the consultant were obtainable from other sources,
  - (2) The Department ordered the subgrant recipient in writing to procure such supplies or services from other sources, and
  - (3) The subgrant recipient failed to reasonably comply with such order.
- c. Upon request of the subgrant recipient, the Department shall ascertain the facts and the extent of such failure, and if the Department determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

**21. Written Approval of Changes in this Approved Agreement (Grant Adjustments)**

- a. Subgrant recipients must obtain prior approval from the Department for major substantive changes such as changes in project activities, 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 will transfer more than 10% of the total budget between budget categories.

- b. Subgrant recipients 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
- c. Under no circumstances can transfers of funds increase the total budgeted award.
- d. Requests for changes to the subgrant agreement must be electronically signed by the subgrant recipient or implementing agency's chief official or the chief official's designee.
- e. Any certifications required for the requested changes, such as Sole Source, ADP Justification, Privacy Certification forms, and Confidential Funds certifications, must be signed by the subgrant recipient or implementing agency chief official or someone with formal, written signature authority for the chief official.

**22. Disputes and Appeals**

- a. 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 subgrant recipient shall proceed diligently with the performance of this agreement according to the Department's decision.
- b. If the subgrant recipient 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 subgrant recipient's right to appeal the Department's decision is contained in § 120, Fla. Stat., 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 § 120, Fla. Stat.

**23. 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.

**24. Access to Records**

- a. The 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 subgrant recipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the Common Rule.
- b. The Department reserves the right to unilaterally terminate this agreement if the subgrant recipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of § 119, Fla. Stat., and made or received by the subgrant recipient or its contractor in conjunction with this agreement.
- c. The subgrant recipient 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.

**25. Retention of Records**

The subgrant recipient 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 subgrant recipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:  
[dlis.dos.state.fl.us/barm/genschedules/GS1-SL.pdf](http://dlis.dos.state.fl.us/barm/genschedules/GS1-SL.pdf).



**26. Personnel Changes**

Upon implementation of the project, in the event there is a change in Chief Officials for the Subgrant recipient or Implementing Agency, project staff must notify the help desk for FDLE's online grants management system, SIMON (Subgrant Information Management Online) so that the organization can be updated in SIMON. If the project director changes, a grant adjustment must be entered in SIMON to reflect the change.

**27. 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, Fla. Stat. shall apply.

- a. All positions in programs providing care to children, the developmentally disabled, or vulnerable adults for 15 hours or more per week; all permanent and temporary employee positions of the central abuse hotline; and all persons working under contract who have access to abuse records are deemed to be persons and positions of special trust or responsibility and require employment screening pursuant to § 435, Fla. Stat., using the level 2 standards set forth in that chapter.
- b. 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.
  - (1) Any person who is required to undergo such a security background investigation and who refuses to cooperate in such investigation or refuses to submit fingerprints shall be disqualified for employment in such position or, if employed, shall be dismissed.
  - (2) Such background investigations shall be conducted at the expense of the employing agency or employee. When fingerprinting is required, the fingerprints of the employee or applicant for employment shall be taken by the employing agency or by an authorized law enforcement officer and submitted to the Department of Law Enforcement for processing and forwarding, when requested by the employing agency, to the United States Department of Justice for processing. The employing agency shall reimburse the Department of Law Enforcement for any costs incurred by it in the processing of the fingerprints.

**28. Drug Court Projects**

A Drug Court Project must comply with § 397.334, Fla. Stat., "Treatment-Based Drug Court Programs."

**29. Overtime for Law Enforcement Personnel**

Prior to obligating funds from this award to support overtime by law enforcement officers, the U.S. Department of Justice encourages consultation with all allied components of the criminal justice system in the affected jurisdiction. The purpose of this consultation is to anticipate and plan for systemic impacts such as increased court dockets and the need for detention space.

**30. Criminal Intelligence System**

The subgrant recipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. Part 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. Part 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. Part 23 occur, the subgrant recipient may be fined as per 42 U.S.C. 3789g(c)-(d). The subgrant recipient may not satisfy such a fine with federal funds.

**31. Confidential Funds**

A signed certification that the project director or the head of the Implementing Agency has read, understands, and agrees to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of Justice Programs *Financial Guide* is required from all projects that are involved with confidential funds. The signed certification must be submitted at the time of grant application.

**32. Civil Rights Compliance**

- a. Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subgrant recipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); and Department of Justice Non-Discrimination Regulations 28 CFR Part 42; see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
- b. FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.
- c. Subgrant recipients are responsible for ensuring that contractors, vendors, and agencies to whom they pass-through funds are in compliance with all Civil Rights requirements and that the contractors, vendors, and agencies are aware that they may file a discrimination complaint with the subgrant recipient, with FDLE, or with the Office for Civil Rights and how to do so.
- d. Equal Employment Opportunity Plans
  - (1) A subgrant recipient or implementing agency must develop an EEO Plan if it has 50 or more employees and it has received any single award of \$25,000 or more from the Department of Justice. The plan must be prepared using the on-line short form at [www.ojp.usdoj.gov/about/ocr/eeop\\_comply.htm](http://www.ojp.usdoj.gov/about/ocr/eeop_comply.htm), must be retained by the subgrant recipient or implementing agency, and must be available for review or audit. The organization must also submit an EEO Certification to FDLE.
  - (2) If the subgrant recipient or implementing agency is required to prepare an EEO Plan and has received any single award of \$500,000 or more from the Department of Justice, it must submit its plan to the Department of Justice for approval. A copy of the Department of Justice approval letter must be submitted to FDLE. The approval letter expires two years from the date of the letter.

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- (3) A subgrant recipient or implementing agency is exempt from the EEO Plan requirement if it has fewer than 50 employees or if it does not receive any single award of \$25,000 or more from the Department of Justice or if it is a nonprofit organization, a medical or educational institution, or an Indian Tribe. If an organization is exempt from the EEO Plan requirement, it must submit an EEO Certification to FDLE.
- (4) The subgrant recipient and implementing agency acknowledge that failure to comply with EEO Requirements within 60 days of the project start date may result in suspension or termination of funding, until such time as it is in compliance.
- e. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.
  - f. In accordance with federal civil rights laws, the subgrant recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.
  - g. Subgrant recipients must include comprehensive Civil Rights/Nondiscrimination Provisions in all contracts funded by the subgrant recipient.
  - h. If the subgrant recipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subgrant recipient, with FDLE or with the Office for Civil Rights. Discrimination complaints may be submitted to FDLE at Office of the Inspector General, P.O. Box 1489, Tallahassee, Florida 32302-1489 or on-line at [www.fdle.state.fl.us/contacts/comment\\_form.html](http://www.fdle.state.fl.us/contacts/comment_form.html). 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, NW, Washington, DC 20531, by phone at (202)307-0690.
  - i. The subgrant recipient must have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subgrant recipient.
  - j. Any discrimination complaints file 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.
  - k. Americans with Disabilities Act

Subgrant recipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).

I. 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, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at [www.lep.gov](http://www.lep.gov).

m. Equal Treatment for Faith Based Organizations

The subgrant recipient agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See [www.ojp.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.gov/about/ocr/equal_fbo.htm).

**33. 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 subgrant recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

**34. National Environmental Policy Act (NEPA)**

- a. The subgrant recipient 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 subgrant funds by the subgrant recipient. This applies to the following new activities whether or not they are being specifically funded with these subgrant funds. That is, it applies as long as the activity is being conducted by the subgrant recipient or any third party and the activity needs to be undertaken in order to use these subgrant funds,
- (1) New construction;
  - (2) Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
  - (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; and
  - (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.
  - (5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.
- b. The subgrant recipient 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 subgrant recipient further understands and

agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at [www.bja.gov/Funding/nepa.html](http://www.bja.gov/Funding/nepa.html) , for programs relating to methamphetamine laboratory operations.

- c. For any of a subgrant recipient's existing programs or activities that will be funded by these subgrants, the subgrant recipient, upon specific request from the Department and the U.S. Department of Justice, agrees to cooperate with the Department of Justice in any preparation by Department of Justice of a national or program environmental assessment of that funded program or activity.

### **35. Non-Procurement, Debarment and Suspension**

The subgrant recipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 CFR 180, "OMB Guidelines To Agencies On Governmentwide Debarment And Suspension (Nonprocurement)" These procedures require the subgrant recipient 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 subgrant is \$100,000 or more, the subgrant recipient and implementing agency certify that they and their principals:

- a. 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;
- b. 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;
- c. 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
- d. 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.

### **36. Federal Restrictions on Lobbying**

- a. Each subgrant recipient agrees to comply with 28 CFR Part 69, "New Restrictions on Lobbying" and shall file the most current edition of the Certification And Disclosure Form, if applicable, with each submission that initiates consideration of such subgrant recipient for award of federal contract, grant, or cooperative agreement of \$100,000 or more.
- b. This certification is a material representation of fact upon which reliance was placed when this agreement was made. Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by 31 USC 1352. Any person who fails to file the required certification is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure to file.
- c. As required by 31 USC 1352, and implemented at 28 CFR 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR 69, the applicant certifies that:

- (1) 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;

- (2) If any funds other than Federal appropriated funds have been paid or will be paid 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 this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
- (3) 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 subgrant recipients shall certify and disclose accordingly.

**37. State Restrictions on Lobbying**

In addition to the provisions contained in Item 36, above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this contract.

**38. Additional Restrictions on Lobbying**

The subgrant recipient 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.

**39. "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.

**40. Mitigation of Health, Safety and Environmental risks dealing with Clandestine Methamphetamine Laboratories**

If an award is made to support methamphetamine laboratory operations the subgrant recipient must comply with this condition, which provides for individual site environmental assessment/impact statements as required under the National Environmental Policy Act.

- a. General Requirement: The subgrant recipient agrees to comply with Federal, State, and local environmental, health and safety laws and regulations applicable to the investigation and closure of clandestine methamphetamine laboratories and the removal and disposal of the chemicals, equipment, and wastes used in or resulting from the operation of these laboratories.
- b. Specific Requirements: The subgrant recipient understands and agrees that any program or initiative involving the identification, seizure, or closure of clandestine methamphetamine laboratories can result in adverse health, safety and environmental impacts to (1) the law enforcement and other governmental personnel involved; (2) any residents, occupants, users, and neighbors of the site of a seized clandestine laboratory; (3) the seized laboratory site's immediate and surrounding environment of the site(s) where any remaining chemicals, equipment, and waste from a seized laboratory's operations are placed or come to rest.

Therefore, the subgrant recipient further agrees that in order to avoid or mitigate the possible adverse health, safety and environmental impacts from any of clandestine methamphetamine operations funded under this award, it will (1) include the nine, below listed protective measures or components; (2) provide for their adequate funding to include funding, as necessary, beyond that provided by this award; and (3) implement these protective measures directly throughout the life of the subgrant. In so doing, the subgrant recipient understands that it may implement these protective measures directly through the use of its own resources and staff or may secure the qualified services of other agencies, contractor or other qualified third party.

- (1) Provide medical screening of personnel assigned or to be assigned by the subgrant recipient to the seizure or closure of clandestine methamphetamine laboratories;
- (2) Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and other personnel assigned by the subgrant recipient to either the seizure or closure of clandestine methamphetamine laboratories;
- (3) As determined by their specific duties, equip personnel assigned to the project with OSHA required protective wear and other required safety equipment;
- (4) Assign properly trained personnel to prepare a comprehensive contamination report on each closed laboratory;
- (5) Employ qualified disposal contractors to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized clandestine laboratory;
- (6) Dispose of the chemicals, equipment, and contaminated materials and wastes removed from the sites of seized laboratories at properly licensed disposal facilities or, when allowable, properly licensed recycling facilities;
- (7) Monitor the transport, disposal, and recycling components of subparagraphs 5 and 6 immediately above in order to ensure proper compliance;
- (8) Have in place and implement an inter-agency agreement or other form of commitment with a responsible State environmental agency that provides for that agency's (i) timely evaluation of the environmental conditions at and around the site of a closed clandestine laboratory and (ii) coordination with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if necessary, and in accordance with existing State and Federal requirements; and
- (9) Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

#### **41. The Coastal Barrier Resources Act**

The subgrant recipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. 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.

**42. Enhancement of Security**

If funds are used for enhancing security, the subgrant recipient agrees to:

- a. Have an adequate process to assess the impact of any enhancement of a school security measure that is undertaken on the incidence of crime in the geographic area where the enhancement is undertaken.
- b. Conduct such an assessment with respect to each such enhancement; and, submit to the Department the aforementioned assessment in its Final Program Report.

**43. Environmental Protection Agency's (EPA) list of Violating Facilities**

The subgrant recipient 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.

**44. Flood Disaster Protection Act**

The subgrant recipient 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.

**45. National Historic Preservation Act**

It 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).

**46. Human Research Subjects**

Subgrant recipient 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.

**47. 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.

**48. Reporting, Data Collection and Evaluation**

The subgrant recipient agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the Bureau of Justice Assistance in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by FDLE.



**49. Privacy Certification**

The subgrant recipient agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Subgrant recipient further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

**50. State Information Technology Point of Contact**

The subgrant recipient agrees to ensure that the State Information Technology 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 subgrant recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to [www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046](http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046).

**51. 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 subgrant recipient 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.

**52. Supplanting**

The subgrant recipient 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.

**53. Conflict of Interest**

The subgrant recipient 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.

**54. 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.

**55. Limitations on Government Employees Financed by Federal Assistance**

The subgrant recipient 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.

**56. Certification for Employees Working Solely on a Single Federal Award**

Any project staff that are fully or partially funded by the grant and that are expected to work solely on the grant must certify that they worked solely on the grant. The certification must be prepared at least semi annually and must be signed by the employee and by a supervisory official having first hand knowledge of the work performed by the employee.

**57. Additional Documentation of Personnel for Department of Financial Services**

In accordance with Section 215.971, Florida Statutes, the Florida Department of Financial Services may require documentation validation that personnel services were performed on project related activities in accordance with the contract agreement.

**58. Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct**

The subgrant recipient must promptly refer to the Florida Department of Law Enforcement, Office of Criminal Justice Grants any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has either: 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds

**59. Task Force Training Requirement**

The subgrant recipient agrees that within 120 days of award, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).

**60. Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable**

Subgrant recipient 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.

**61. High Risk Subgrant Recipients**

The subgrant recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the U.S. Department of Justice determines that the subgrant recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

**62. Text Messaging While Driving**

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the subgrant recipient 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 subgrant and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

**63. Central Contractor Registry (CCR)**

The subgrant recipient must maintain the currency of its information in the CCR until it submits the final financial report required under this award or receives the final payment, whichever is later. This requires that the subgrant recipient review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another award term.

**64. Maximum Allowable Salary**

No portion of these federal grant funds shall be used towards any part of the annual cash compensation of any employee of the subgrant recipient whose total annual cash compensation exceeds 110% of the maximum salary payable to a member of the Federal government's Senior Executive Service at an agency with a Certified SES Performance Appraisal System for that year. (The salary table for SES employees is available at <http://www.opm.gov/oca/payrates/index.asp>. A subgrant recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

**65. DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database**

If JAG 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 [ncjrs.gov/pdffiles1/nij/si000989.pdf](http://ncjrs.gov/pdffiles1/nij/si000989.pdf).

**66. Interoperable Communications Guidance**

Subgrant recipients that are 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).

Subgrant recipients Grantees 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 subgrant recipient 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 recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Subgrant recipients 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.

**67. Bulletproof Vests**

Subgrant recipients that wish to purchase vests with JAG funds **must certify** that law enforcement agencies receiving vests have a written "mandatory wear" policy in effect. This policy must be in place for at least all uniformed officers before funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. FAQs related to the mandatory wear policy and certifications can be found at [www.bja.gov/Funding/JAGFAQ.pdf](http://www.bja.gov/Funding/JAGFAQ.pdf).

JAG funds may be used to purchase bulletproof vests for an agency, but may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.

Bulletproof vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards. In addition, bulletproof vests purchased must be American-made. The latest NIJ standard information can be found at: [www.nij.gov/topics/technology/body-armor/safety-initiative.htm](http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm).

**68. BJA or FDLE Sponsored Events**

The subgrant recipient agrees to participate in BJA- or FDLE-sponsored training events, technical assistance events, or conference held by FDLE or BJA or their designees, upon FDLE's or BJA's request.

**69. Expenses Related to Conferences, Meetings, Trainings, and Other Events**

The subgrant recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at [www.ojp.gov/funding/confcost.htm](http://www.ojp.gov/funding/confcost.htm).

# Application for Funding Assistance

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

## Section 6: Signatures

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: Clayton H. Wilder

Typed Name and Title: Clayton H. Wilder, Community Program Administrator

Date: 10-8-12

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

Typed Name of Subgrant Recipient: City of Fort Lauderdale

Signature: John P. Seiler

Typed Name and Title: John P. "Jack" Seiler, Mayor

Date: August 10, 2012

Implementing Agency  
Official, Administrator or Designated Representative

Typed Name of Implementing Agency: Fort Lauderdale Police Department

Signature: Franklin C. Adderley

Typed Name and Title: Franklin C. Adderley, Chief of Police

Date: 8/8/12