

Application for Funding Assistance

Florida Department of Law Enforcement

JAGC

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: Kirk Buffington

Title: Director of Finance

Address: 100 North Andrews Avenue

City: Fort Lauderdale

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

Phone: 954-828-5145 **Ext:**

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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: Dayna Bhaggan

Title: Public Safety Grants Manager

Address: 1300 West Broward Boulevard

City: Fort Lauderdale

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

Phone: 954-828-5284 **Ext:**

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Section 2: Project Overview

General Project Information

Project Title: OPERATION TREND BUSTER 4 (FT. LAUDERDALE PD)
Subgrant Recipient: City of Fort Lauderdale
Implementing Agency: Fort Lauderdale Police Department
Project Start Date: 10/1/2014 **End Date:** 9/30/2015

Problem Identification

Trend Buster 4 will allow the Fort Lauderdale Police Department (FLPD) the opportunity to build upon the foundation established during previous Trend Buster operations, allowing for flexibility to prioritize and change tactics in order to address the ever-changing trends associated with underage substance abuse.

Thru the first 3 quarters of the current grant, Trend Buster 3 has distributed 100% of the 156 underage alcohol, tobacco and synthetic marijuana letters to vendors; 100% of the 45 hand held 12 power illuminated magnifiers to bars/nightclubs; conducted 10 of 12 or 83% of the contacted marijuana surveillance/enforcement operations; 79% or 76 of 96 compliance checks at retail alcohol selling locations; 75% or 45 of 60 patron age compliance checks at bars and nightclubs; 78% or 47 of 60 synthetic cannabinoid compliance checks at retail locations.

Operations conducted in the 3rd quarter resulted in 7 arrests, including 2 misdemeanor and 5 felony drug related arrests; and the seizure of 4 amphetamine pills, 7 grams of marijuana, and 1800 grams of synthetic marijuana.

Trend Buster 4 will address the proliferation of the electronic/flavored vapor e-cigarettes being marketed as a "safe alternative" to traditional cigarettes and sold at retail locations. The number of minors smoking traditional cigarettes has decreased, while the number of minors using the new vapor / e-cigarette in Florida has doubled between the years 2011 and 2012 according to a 2013 report conducted by the Florida Department of Health. While these electronic cigarettes do not contain tobacco, they do dispense flavored nicotine vapors to be inhaled. Without tobacco in these products, there are currently no Federal regulations preventing the sale of these products to minors. Currently, legislation is pending in the Florida Senate (SB 224) that would prohibit the sale of e-cigarettes to minors throughout the State of Florida. It is anticipated that SB 224 will be enacted/made law on July 01, 2014. This law will provide legal standing for vendor awareness training and to conduct enforcement based compliance checks of retail establishments selling these products to minors in Fort Lauderdale.

During preceding Trend Buster grants, the primary drug related focus dealt with the availability of marijuana that was being sold to students in the areas around their middle and high schools. With Trend Buster 4, the underage drug related focus will shift to one that combats drug sales in the area of the Fort Lauderdale Entertainment District. This District has a high concentration of nightclubs/bars in a small geographical area and is one of our two targeted enforcement areas where minors and young adults are known to gather to indulge in alcohol and illicit drug use. While working this area during late night/early morning hours, it is not uncommon to find minors and older teens/young adults passed out on the ground, vomiting or being treated for overdose related symptoms by Emergency Medical Technicians. It is also not uncommon to observe or to receive complaints of street level drug dealers working the areas around the nightclubs,

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targeting minors and those not old enough to enter the nightclubs.

In addition to targeting those dealers that are suspected of selling marijuana to the minors in this area, Trend Buster 4 will now seek to curtail the availability of designer 'club drugs' that are being offered for sale to teens and young adults in our entertainment district. The goal of this component is to seek to reduce the availability of Synthetic Cathinones (group of illicit stimulants known as Methyone and/or Bath Salts) which are being substituted for pure MDMA / Ecstasy when sold as the club drug 'Molly'. A September 2013 Fort Lauderdale Briefing from the County Commission on Substance Abuse, 'Molly Myth Exposed', revealed a dramatic transformation from the use of pure MDMA / Ecstasy, to that of the use of synthetic Cathinones. The past two-years, drug traffickers have been promoting the illegal street drug 'Molly' as being 'pure MDMA'. Some drugs sold as Molly might be MDMA or contain some MDMA in combination with other drugs. In South Florida over 400 samples of drugs called Mollys had no MDMA, but contained the now illegal, former 'bath salt', Methyone. Between 2011 and 2012 the number of crime lab reports in South Florida (Miami-Dade, Broward, and Palm Beach Counties) for actual MDMA decreased 64% from 299 to 107 while reports for synthetic Cathinones increased 919% from 42 to 428 including 388 specifically for Methyone.

Trend Buster 4 will also continue its efforts toward: abating underage alcohol consumption with a steady emphasis directed toward combating underage binge drinking at known party sites in the city; and, identifying those retailers/vendors, through compliance checks, that are known to continually sell alcohol to the underage. With the unwanted distinction of being identified as the alcohol epicenter for 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 our underage youth. To that extent, the FLPD will retain 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 reductions and competing initiatives continue to impact the FLPD's ability to fund projects such as this.

Project Summary (Scope of Work)

Within the City of Fort Lauderdale, Operation Trend Buster 4 will implement an enforcement based, comprehensive strategy to: (1) address underage sale / possession of electronic vapor cigarettes at retail locations; (2) combat the purchase and possession of illegal club drugs by youth within the Fort Lauderdale Entertainment District; (3) address retail sales of alcohol products to underage youth; and, (4) address underage alcohol possession and consumption in Fort Lauderdale.

The target population of this Operation will include:

Minors under 18, attempting to purchase e-cigarettes and/or regular tobacco products;
Minors under age 21 purchasing, possessing and or consuming alcohol products;
Retail vendors selling e-cigarettes, tobacco products and/or alcohol containing products to minors;
and,
Persons selling, purchasing and/or possessing marijuana, club and club drugs.

Specifically, Trend Buster 4 will provide:

Vendor Awareness - Vendor awareness for the sale of e-cigarettes and flavored alcohol

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products to underage persons at the retail level consists of hand delivering informational letters to 100 individual retail vendors. The letter explains the laws pertaining to the prohibition related to the sale of tobacco and alcohol products to underage persons. The informational letters are followed up with an enforcement based component that allows for undercover testing of these vendors for compliance with the underage alcohol and tobacco laws.

120 Retail Electronic Vapor Cigarette Compliance Checks: 2 compliance checks for each of 60 vendors to inhibit the sale of e-cigarettes (and/or regular tobacco products) to minors. There will be 10 compliance checks (24 minutes each) per operation, 3 operations per quarter at 4 hours each conducted by 3 officers = 36 hours per quarter = 144 hours per year.

40 Off-Premise Alcohol Compliance Checks: There will be 10 compliance checks (24 minutes each) per operation, 1 operation per quarter at 4 hours each conducted by 3 officers = 12 hours per quarter = 48 hours per year.

Enforcement Based Undercover Narcotics Investigations: The enforcement based undercover investigations will take place in Fort Lauderdale's entertainment district. Undercover detectives, posing as potential drug buyers, will target the dealers of cannabis and synthetic club drugs. The undercover operations will provide the opportunity to remove drug dealers and collect drugs that will be submitted for lab examination.

There will be 4 Marijuana and Synthetic Cathinones Operations: One operation per quarter at 5 hours each for 5 officers per quarter = 100 hours for the year. It is anticipated that these operations will result in 5 misdemeanor and 5 felony arrests, and the seizure of 10 grams of marijuana and 40 pills of other drugs.

High Visibility Underage Alcohol Enforcement Operations: The high visibility underage alcohol enforcement operations will take place at the Riverfront Entertainment Complex throughout the year and on the beach during Spring Break to target underage alcohol binge drinking and other illicit drug activity. These locations are known gathering areas for underage persons.

At the Riverfront Entertainment complex there will be 3 operations per month of 5 hours each including 2 officers. Five hours/day x 3 days/month x 12 months x 2 officers = 360 hours for the year.

During Spring Break 2015, one officer will conduct an operation for 7 hours/day x 5 days/week x 6 weeks = 210 hours for the year.

The Fort Lauderdale Police Officers who will be responsible for carting out the compliance checks and enforcement actions under Trend Buster 4 have experience and training in conducting various underage drinking, narcotics and other such undercover investigations. In fact, the lead officer who will be assigned to administer Operation Trend Buster 4, has more than thirty-three (33) years of experience in enforcing the underage drinking laws in Fort Lauderdale. All officers have received training focused on issues of diversity and cultural sensitivity. The FLPD's Training Academy regularly teaches courses entitled 'Human Interactions' and 'Professional Traffic Stop and Discriminatory Profiling' to new recruits and during on-going training programs. The Human Interactions course is an 8-hour class that covers differences among cultures,

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racism, sexual preferences, etc., and provides guidance for positive interactions. Success can be measured by the number (or lack thereof) of Internal Affairs complaints involving race/ethnicity that are filed in relation to the conduct of Operation Trend Buster 4.

For the vendor awareness components, a successful 'completer' would be: 1) an e-cigarette/tobacco product vendor found to be compliant by not selling an e-cigarette or tobacco product to the investigative aide during the second compliance check; and, 2) a retail alcohol vendor found to be compliant by not selling alcohol to the investigative aide during their compliance check. Progress is tracked via an Operations Log which is maintained for each undercover activity. The Ops Log lists the date, vendor, location, type of compliance check, and the result(s) of each operation. The Ops Log is updated and filed in the Special Operations Division after every compliance check.

It is anticipated that Trend Buster 4 will produce the following outcomes:

By the end of the project 75% of targeted retailers / vendors will be found in compliance as measured by compliance checks.

By the end of the project, cumulatively 75% of the entertainment district marijuana/molly surveillance operations will result in an arrest.

By the end of the project 90% of targeted alcohol retailers / vendors will be found in compliance as measured by compliance checks.

By the end of the project, 90% of the retail vendors will have increased their knowledge of recently enacted laws that pertain to minors and electronic / vapor cigarettes.

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Section # Project Title

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

Question: Do the Subrecipient and Implementing agencies understand that this is a cost-reimbursement agreement for satisfactory performance of eligible activities? Requests for reimbursement may be submitted quarterly or monthly as designated in the Financial Section of the agreement. Requests for reimbursement will be processed in conjunction with receipt and review of programmatic performance reports to determine successful completion of minimum performance for deliverables as specified in the agreement.

Answer: Yes

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Section 3: Performance Info

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):

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: 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: By the end of the project:
75% of targeted retailers / vendors will be found in compliance as measured by compliance checks
75% of the entertainment district marijuana/molly surveillance operations will result in an arrest
90% of targeted alcohol retailers / vendors will be found in compliance as measured by compliance checks
90% of the retail vendors will have increased their knowledge of recently enacted laws that pertain to minors and electronic / vapor cigarettes

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

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Section #3: Performance

Measure: Part 1

Will you be using the crimesolutions.gov website?

Goal: Yes

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

Measure: Part 2

If yes, enter grantee organization or agency name.

Goal: N/A

Measure: Part 1

Are you a subrecipient of a JAG award from another JAG grantee (other than FDLE)? An agency can be a primary recipient of a JAG award from BJA and a subrecipient of a JAG award from another JAG award primary recipient. Do not consider awards that you receive directly from USDOJ.

Goal: No

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 (\$).

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Section 3: Performance

Goal: \$35,314.00

Objective: D2 - Maintain personnel with JAG funds

Measure: Part 1

How many personnel will you maintain with JAG funds? Maintained personnel means any staff members who were already working with the law enforcement organization, but who are now being paid partially or fully with BJA JAG grant funds. Only report each individual as maintained once for the life of the award.

Goal: 1

Objective: D3 - Hire new personnel with JAG funds

Measure: Part 1

How many new personnel will be hired with JAG funds? Hired personnel means any new individuals who do not work for the law enforcement organization but who will be selected for employment during the reporting period. Only report each new hire once for the life of the award.

Goal: 0

Measure: Part 2

What types of positions will be filled for new personnel hired? In your response, please list all that apply from the following choices:

Administrative Staff,
Civilian Personnel,
Correctional Officers and Jailers,
Counselors,
Court Staff,
Crime Analyst,
Evaluator,
Law Enforcement Officers,
Legal Staff (defense attorneys, prosecutors, indigent defense),
Medical/Clinical Staff,
Non-sworn Law Enforcement Personnel,
Program Managers,
Trainers and Technical Assistance Specialist,
Other. If none of the above fits, state "other" and specify.

Goal: N/A

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: 388

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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: Administrative Staff,
Civilian Personnel ,
Correctional Officers and Jailers,
Counselors ,
Court Staff,
Crime Analyst,
Evaluator,
Law Enforcement Officers,
Legal Staff (defense attorneys, prosecutors, indigent defense),
Medical/Clinical Staff,
Non-sworn Law Enforcement Personnel,
Program Managers,
Trainers and Technical Assistance Specialist,
Other. If none of the above fits, state "other" and specify.

Goal: Law Enforcement Officers

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.

Activity Description

Activity: Task Forces
Target Group: Task Forces
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: TF1 - Report on JAG funding allocated for task forces

Measure: Part 1

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Statement of Work for the Project

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

Goal: \$43,114.00

Measure: Part 2

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

Goal: \$43,114.00

Objective: TF2 - Report on the types of task forces funded with JAG funds

Measure: Part 1

What types of task forces will the program provide with JAG funds? In your response, please list all that apply from the following choices: AMBER Alert Task Force, Anti-Gang Task force, Anti-Gun Task Force, Anti-Human Trafficking Task Force, Drug Task Force, Fugitive Task Force, Violent Crime Task Force, Other. Do not select other if your item fits into any of the categories above. If other, state "other" and specify.

Goal: Other: Underage alcohol, marijuana, e-cigarette, synthetic cannabinoids sale/use.

Measure: Part 2

Is the task force multijurisdictional?

Goal: No

Objective: TF3 - Pay for hours used toward task force activity

Measure: Part 1

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

Goal: 862

Measure: Part 2

Of the hours to be paid for with JAG funds towards task force activity, how many hours will be for drug task forces?

Goal: 862

Objective: TF4 - Work investigations/cases

Measure: Part 1

How many NEW investigations/cases will be initiated?

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Section 3 - Performance

Goal: 4

Measure: Part 2
Of the NEW investigations/cases to be initiated, how many will be drug-related?

Goal: 4

Measure: Part 3
How many investigations/cases will be closed?

Goal: 4

Measure: Part 4
Of the investigations/cases to be closed, how many will be drug-related?

Goal: 4

Objective: TF5 - Hold community meetings

Measure: Part 1
How many community meetings will be held?

Goal: 0

Measure: Part 2
Of the community meetings to be held, how many will be drug-related?

Goal: 0

Objective: TF6 - 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? Criminal history information should be based on official arrest information from a local, state, and national law enforcement reporting system or official court records. In the case of multiple offenses this should be determined by the top charge (or highest offense).

Goal: 10

Measure: Part 2
Of the individuals to be arrested, how many will be charged with a misdemeanor?

Goal: 5

Measure: Part 3
Of those to be arrested and charged with a misdemeanor, how many will be drug-related?

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Section #3: Performance Measures

Goal: 5

Measure: Part 4

How many individuals to be arrested will be charged with a felony?

Goal: 5

Measure: Part 5

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

Goal: 5

Objective: TF7 - Arrest Gang Members. Report on this only if you have a gang task force.

Measure: Part 1

What will be the total number of GANG MEMBERS ONLY to be arrested based on task force activity?

Report on this only if you have a gang task force. As defined by DOJ, a gang is an association of three or more people who adopt a group identity represented by a common name, sign, or symbol. The gang engages in criminal activity, using violence or intimidation to enhance their power and access to resources. As organizations, gangs may have identifiable structures, rules for joining and behavior, and regular meetings. Gangs may also provide protection for their members and exert control over a particular geographic location or region. For the expanded definition go to: <http://www.nij.gov/topics/crime/gangs-organized/gangs/definitions.htm>.

Goal: 0

Objective: TF8 - Seize drugs. Report on this only if you have a drug task force.

Measure: Part 5

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: 10 grams of marijuana

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: 40 pills of other drugs

Objective: TF9 - Seize drugs from clandestine drug labs. Report on this only if you have a drug task force.

Measure: Part 1

What will be the total amount of cocaine (crack) seized from clandestine drug

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labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 2

What will be the total amount of cocaine (powder) seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 3

What will be the total amount of Ecstasy (MDMA) seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 4

What will be the total amount of heroin seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 5

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

Goal: 0

Measure: Part 6

What will be the total amount of Methamphetamine seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 7

What will be the total amount of Methamphetamine (ice) seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 8

What will be the total amount of Pseudoephedrine seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds.

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Standard 4 - Prescription Pills

Report on this only if you have a drug task force.

Goal: 0

Measure: Part 9

What will be the total amount of Psilocybin seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 10

What will be the total amount of Prescription pills (examples: Xanax, OxyContin [oxycodone], Vicodin or Lortab [acetaminophen and hydrocodone], etc.) seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 11

What will be the total amount of Salvia seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 12

What will be the total amount of Steroids seized from clandestine drug labs? Please indicate dosage unit, pills, grams, kilograms, or pounds. Report on this only if you have a drug task force.

Goal: 0

Measure: Part 13

What will be the total amount of other drugs seized from clandestine drug labs? 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 from clandestine drug labs.

Goal: 0

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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

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Section 4 - Financial

General Financial Info:

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

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000319

Budget:

Budget Category	Federal	Match	Total
Salaries and Benefits	\$35,314.00	\$0.00	\$35,314.00
Contractual Services	\$0.00	\$0.00	\$0.00
Expenses	\$7,800.00	\$0.00	\$7,800.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
-- Totals --	\$43,114.00	\$0.00	\$43,114.00
Percentage	100.0	0.0	100.0

Project Generated Income:

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

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Section 4: Financial (cont.)

Budget Narrative:

The Fort Lauderdale Police Department is requesting a total of \$43,114.00 to support Operation Trend Buster 4.

Salaries: \$32,804.00

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 targeted enforcement actions. Time for hours worked will be documented with timesheets.

120 Retail Electronic Vapor Cigarette Compliance Checks:

3 operations x 4 hours each x 3 officers = 36 hours per quarter = 144 hours.

96 hours x \$57.00/hour (approximate overtime rate) = \$5,472.00

48 hours x \$22.00/hour (reserve salary rate) = \$1,056

Total hours 144 = \$6,528.00

40 Off-Premise Alcohol Compliance Checks:

1 operation x 4 hours x 3 officers = 12 hours per quarter = 48 hours.

32 hours x \$57.00/hour (approximate overtime rate) = \$1,824.00

16 hours x \$22.00/hour (reserve salary rate) = \$325.00

Total hours 48 = \$2,176

Enforcement Based Undercover Narcotics Investigations:

1 operation x 5 hours x 5 officers = 25 hours per quarter = 100 hours.

20 hours x \$70.00/hour (approximate sergeant's overtime rate) =

\$1,400.00

60 hours x \$57.00/hour (approximate detective's overtime rate) =

\$3,420.00

20 hours x \$22.00/hour (reserve salary rate) = \$440.00

Total hours 100 = \$5,260

2 Targeted Enforcement Operations:

1) Riverfront Entertainment complex:

5 hours/day x 3 days/month x 12 months x 2 officers = 360 hours.

180 hours x \$57.00/hour (approximate detective's overtime rate) = \$10,260.00

180 hours x \$22.00/hour (reserve salary rate) = \$3,960.00

2) Spring Break 2015

7 hours/day x 5 days/week x 6 weeks = 210 hours.

210 hours x \$22.00/hour (reserve salary rate) = \$4,620.00

Targeted Enforcement Totals:

180 hours x \$57.00/hour (approximate detective's overtime rate) = \$10,260.00

390 hours x \$22.00/hour (reserve salary rate) = \$8,580.00

Total 570 hours = \$18,840.00

Total salaries = \$32,804.00

Payroll taxes = \$32,804 x .0765 = \$2,510.00

TOTAL SALARIES AND BENEFITS = \$35,314.00

Application Ref # 2015-JAGC-2594

Section #4 Page 2 of 4

Contract 2015-JAGC-BROW-7-R3-175

Rule Reference 11D-9.006 OCJG-005 (rev. October 2005)

Application for Funding Assistance

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

Budget Narrative (Continued):

EXPENSES

Vehicle Rental

\$650.00 (estimated) x 12 months = \$7,800.00

The surveillance/enforcement operations and the compliance checks require the use of undercover tactics. The use of a rental vehicle for the grant period was calculated at the local negotiated government contract rate of \$650.00 pre month for 12 months.

TOTAL EXPENSES = \$7,800.00

TOTAL SALARIES AND BENEFITS = \$35,314.00

TOTAL BUDGET = \$43,114

The sub-grantee understands that the Florida Department of Law Enforcement (FDLE) will only reimburse up to the approved budget amount.

Application for Funding Assistance

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

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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: Yes

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

Application for Funding Assistance

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

Section 5: Standard Conditions

Insert Standard Conditions Page here.



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

Post Office Box 1489 Tallahassee, Florida 32302-1489 (850) 617-1250 criminaljustice@fdle.state.fl.us

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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) and the Edward Byrne Memorial Justice Assistance Grant (JAG) program guidance (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/
- Office of Management and Budget (OMB) Circulars: 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/
 - 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.
- United States Code: 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: dlis.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/); the provisions of the current edition of the Office of Justice Programs Financial Guide (www.ojp.usdoj.gov/financialguide/index.htm); and all other applicable federal and state 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.
- (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 have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.
- (e) Reports are to be submitted even when no reimbursement is being requested.

- (f) The report must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

(2) Financial Closeout Audit

- (a) The Financial Closeout Audit shall be submitted to the Department within forty-five (45) days of the subgrant expiration date.
- (b) The Financial Closeout Audit must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

(3) Project Generated Income (PGI)

- (a) If applicable, the subgrant recipient shall submit Quarterly PGI Earnings and Expenditures Reports to the Department within thirty (30) days after the end of the reporting period covering subgrant project generated income and expenditures during the previous quarter. If any PGI remains unspent after the subgrant ends, the subgrant recipient must continue submitting quarterly PGI reports until all funds are expended. (See Item 11, Program Income.)
- (b) 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. Other Reports

The subgrant recipient shall report to the Uniform Crime Report and other reports as may be reasonably required by the Department.

5. Fiscal Control and Fund Accounting Procedures

- a. All expenditures and cost accounting of funds shall conform to the Office of Justice Programs Financial Guide, the Common Rule, and OMB Circulars A-21, A-87, and A-110, or A-102 as applicable, in their entirety.
- b. The subgrant recipient is required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. As a subgrant recipient, you must have a financial management system in place that is able to record and report on the receipt, obligation, and expenditure of grant funds. An adequate accounting system for a subgrant recipient must be able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and subgrant recipients.
- c. All funds spent on this project shall be disbursed according to provisions of the project budget as approved by the Department.
- d. All funds not spent in accordance with this agreement shall be subject to repayment by the subgrant recipient.

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 award 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 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 State of Florida Travel Guidelines § 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 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 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 OCJG 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) per 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. Patents

If any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored by the federal award or subaward funds, such facts must be promptly and fully reported to the awarding agency.

- a. Unless there is a prior agreement between the subgrant recipient and the Department on disposition of such items, the Department may determine whether protection on the invention or discovery will be sought.
- b. The Department will also determine how rights in the invention or discovery (including rights under any patents issued) will be allocated and administered in order to protect the public interest consistent with "Government Patent Policy" ("President's Memorandum for Heads of Executive Departments and Agencies," dated August 23, 1971, and statement of Government patent policy, as printed in 36 Federal Register 16839).
- c. Government regulations have been issued in Title 37 CFR Part 401 by the U.S. Department of Commerce.

17. 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. The subgrantee understands and agrees that any training materials developed or delivered with grant funding must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees available at

www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm

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."

18. 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. A scanned copy of the completed audit reports or a link to the electronic audit report should be sent via email to criminaljustice@fdle.state.fl.us or mailed to the following address:

Florida Department of Law Enforcement
Office of Criminal Justice Grants
Post Office Box 1489

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. Access to Records

- a. The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the 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.

26. 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.

27. 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.

28. 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.

29. Drug Court Projects

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

30. 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.

31. Criminal Intelligence System

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

32. 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.

33. 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. The subgrant recipient must notify program participants and beneficiaries that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services or benefits or in employment practices.
- 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, 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.
 - (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, Post Office Box 1489, Tallahassee, Florida 32302-1489 or on-line at 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 7th Street, Northwest, Washington, D.C. 20531, or 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. The subgrant recipient must have written policies or procedures in place for notifying program beneficiaries how to file complaints alleging discrimination by the subgrantee/implementing agency with FDLE or the OCR.
 - k. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.
 - l. 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).

m. Rehabilitation Act of 1973 (28 C.F.R. Part 42, Subpart G)

If the subgrant recipient has 50 or more employees and receives DOJ funding of \$25,000 or more, the subgrant recipient must take the following actions:

- (1) Adopt grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973, found at 28 C.F.R. Part 42, Subpart G, which prohibit discrimination on the basis of a disability in employment practices and the delivery of services.
- (2) Designate a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R. Part 42, Subpart G.
- (3) Notify participants, beneficiaries, employees, applicants, and others that the subgrantee/implementing agency does not discriminate on the basis of disability.

n. 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. FDLE strongly encourages subgrant recipients to have a written LEP Language Access Plan.

o. Title IX of the Education Amendments of 1972 (28 C.F.R. Part 54)

If the subgrant recipient operates an education program or activity, the subgrant recipient must take the following actions:

- (1) Adopt grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education Amendments of 1972, found at 28 C.F.R. Part 54, which prohibit discrimination on the basis of sex.
- (2) Designate a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R. Part 54.
- (3) Notify applicants for admission and employment, employees, students, parents, and others that the subgrantee/implementing agency does not discriminate on the basis of sex in its educational programs or activities.

p. 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. The subgrantee also understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from the award, or the parent or legal guardian of such students. 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

34. 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.

35. 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, 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.

36. 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 federal and state 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.

37. 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.

38. 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.

39. 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.

40. 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.

41. "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.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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).

47. 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.

48. 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. 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.

49. 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.

50. 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.

51. 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.

52. 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.

53. 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.

54. 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.

55. 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.

56. 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.

57. Certification for Employees Working Solely on a Single Federal Award

For any position that works 100% of its time on a single federal award, the employee must certify that 100% of his or her time was spent working on that federal award. This requirement applies to both full time and part time positions regardless of the percentage of the position's salary that is charged to the grant. The certification must be signed by both the employee and the employee's direct supervisor having firsthand knowledge of the work performed by the employee. The forms must be submitted semi-annually and may not be signed prior to the end of the reporting period. Certifications must be provided to cover the entire grant period.

58. Timesheets

Timesheets must be kept for all project staff whose hours will be charged to the project. The timesheets must be signed by the supervisor and clearly indicate hours spent on project activities.

59. 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.

60. 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

61. 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). 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. When FDLE award funds to support a task force, the subgrant recipient must compile and maintain a task force personnel roster along with course completion certificates. 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).

62. 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.

63. 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.

64. 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.

65. System for Award Management (SAM)

The subgrant recipient must maintain current information in SAM 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.

66. 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.

67. 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/s1000989.pdf.

68. 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.

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.

69. Ballistic-Resistant and Stab Resistant Body Armor

Subgrant recipients that wish to purchase armor 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.

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

Body armor 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 and are listed on the NIJ Compliant Body Armor Model List (<http://nij.gov>). In addition, body armor purchased must be American-made. The latest NIJ standard information can be found at www.nij.gov/topics/technology/body-armor/safety-initiative.htm.

70. 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.

71. 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.

72. Environmental Requirements and Energy

For subgrants in excess of \$100,000, the subgrant recipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).

The subgrant recipient must comply with Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.

73. Other Federal Funds

The subgrantee agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the subgrantee will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

74. Monitoring

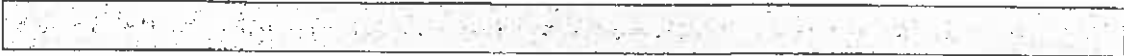
The recipient agrees to comply with FDLE's grant monitoring guidelines, protocols, and procedures, and to cooperate with FDLE on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and /or site visits. The recipient agrees to provide FDLE all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

75. Unmanned Aerial Vehicles

The recipient agrees that awarded funds may not be expended on unmanned aircraft, unmanned aircraft systems, or aerial vehicles (US, UAS, or UAV) unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. Additionally, any funding approved for this purpose would be subject to additional reporting, which would be stipulated by FDLE post award.

Application for Funding Assistance

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

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

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

Signature: *Peirina T. Herring*

Typed Name and Title: Peirina T. Herring, Bureau Chief

Date: 11/24/2014

**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: _____

**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: _____

Application for Funding Assistance

Florida Department of Law Enforcement
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Insert Certifications and Authorizations here.

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEO) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three.

Recipient's Name: City of Fort Lauderdale		DUNS Number: 072219595
Address: 100 North Andrews Avenue, Fort Lauderdale, FL 33301		
Grant Title: Operation Trend Buster 4	Grant Number: 2015-JAGC-2594	Award Amount: \$43,114.00
Name and Title of Contact Person: Dayna Bhaggen, Public Safety Grants Manager		
Telephone Number: 954-828-5284	E-Mail Address: dbhaggen@fortlauderdale.gov	

Section A—Declaration Claiming Complete Exemption from the EEO Requirement

Please check all the following boxes that apply:

- Recipient has less than fifty employees.
 Recipient is an Indian tribe.
 Recipient is a medical institution.
 Recipient is a nonprofit organization.
 Recipient is an educational institution.
 Recipient is receiving an award less than \$25,000.

I, _____ [responsible official],
 certify that _____ [recipient] is
 not required to prepare an EEO for the reason(s) checked above, pursuant to 28 C.F.R § 42.302.
 I further certify that _____ [recipient]
 will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of
 services.

Print or Type Name and Title

Signature

Date

Section B—Declaration Claiming Exemption from the EEO Submission Requirement and Certifying That an EEO Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEO to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official],
 certify that _____ [recipient],
 which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than
 \$500,000, has formulated an EEO in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last
 twenty-four months, the proper authority has formulated and signed into effect the EEO and, as required by applicable
 federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for
 Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEO is on file at the following office:
 _____ [organization],
 _____ [address].

Print or Type Name and Title

Signature

Date

Section C—Declaration Stating that an EEO Utilization Report Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award or subaward of \$500,000 or more, then the recipient agency must send an EEO Utilization Report to the OCR for review.

I, John P. "Jack" Seiler _____ [responsible official],
 certify that City of Fort Lauderdale _____ [recipient],
 which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEO in
 accordance with 28 CFR pt. 42, subpt. E, and sent it for review on December 6, 2012 _____ [date] to the
 Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

John P. "Jack" Seiler, Mayor

Print or Type Name and Title

Signature

Date

OMB Approval No. 1121-0340 Expiration Date: 05/31/14