

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: March 1, 2011

Consent

Regular

Ordinance

Public Hearing

Department:

Submitted By: Palm Beach County Sheriff's Office

Submitted For: Palm Beach County Sheriff's Office

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: **A) Accept** on behalf of the Palm Beach County Sheriff's Office, a FY10 State Homeland Security grant in the amount of \$368,882, for the period of August 1, 2010 through January 31, 2013; **B) Approve** a budget amendment of \$368,882 in the Sheriff's Grant Fund.

Summary: On December 16, 2010 the Palm Beach County Sheriff's Office (PBSO) received an award from the State of Florida, Division of Emergency Management, retroactive to August 2010. These funds and related equipment will be used for direct Homeland Security Initiatives. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

Background and Justification: The State Homeland Security Grant Program (SHSP) supports the implementation of the State Homeland Security Strategy to address the identified planning, equipment, training, and exercise needs for acts of terrorism. In addition, SHSP supports the implementation of the National Preparedness Goal, the National Incident Management System, and the National Response Plan. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the Federal Grant number is 2010-SS-T0-0092.

Attachments:

- 1. Budget Amendment
- 2. Award Letter

RECOMMENDED BY:


DEPARTMENT DIRECTOR

2/3/11
DATE

APPROVED BY:


ASSISTANT COUNTY ADMINISTRATOR

2/17/11
DATE

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	\$327,500				
Operating Costs	\$41,382				
External Revenues	(\$368,882)				
Program Income (County)					
In-Kind Match (County)	0				
 Net Fiscal Impact	 0				
 # Additional FTE Positions (Cumulative)	 0				

Is Item Included in Current Budget: YES _____ NO X

Budget Account No.: Fund _____ Agency _____ Org _____ Object _____

Reporting Category _____

B. Recommended Sources of Funds / Summary of Fiscal Impact:

The FY10 State Homeland Security Grants is funded by the State of Florida, Department of Emergency Management. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

FY10 State Homeland Security Grant	<u>\$368,882</u>
Total Program Budget	\$368,882

III REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

[Signature] 2/14/2011
OFMB
2/19/11 5/1/11 2/17/11

[Signature] 2/15/11
Contract Administration

B. Legal Sufficiency:

[Signature] 2/17/11
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

11- 0347

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1152 - Sheriff's Grants Fund

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
Revenues								
Homeland Security FY10								
160-2203-3129	Federal Grant - Other Public Safety	0	0	368,882		368,882		
	TOTAL REVENUES	4,760,729	\$10,317,094	\$368,882	\$0	\$10,685,976		
Expenditures								
Homeland Security FY10								
160-2203-9498	Transfer to Sheriff's Grant Fund	0	0	368,882		368,882		
	TOTAL EXPENDITURES	4,760,729	\$10,317,094	\$368,882	\$0	\$10,685,976		

Attachment #

Palm Beach County Sheriff's Office

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date

[Signature] 2/3/11
[Signature] 2/14/2011

SJ 2/8/11

By Board of County Commissioners
At Meeting of March 1, 2011

Deputy Clerk to the
Board of County Commissioners



STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

CHARLIE CRIST
 Governor

DAVID HALSTEAD
 Director

December 16, 2010

SUBGRANTEE: Palm Beach County Sheriff's Office

ISSUE NUMBER	PROJECT TITLE	FINAL ALLOCATION
3	Lion Suits (01CB-02-ENSM)	\$20,000.00
3	Spare SCBA Cylinders w/Repair Kits (01AR-01-SCBA)	\$2,500.00
3	Viking Mask – Scuba (01AR-01-SCBA)	\$20,000.00
3	Gap-Response to Barricade Extremist/Terrorist Incidents (21GN-00-TRNG) 5 Day Training	\$6,000.00
3	Gap-Tactical Operations in Hazardous Environment (21GN-00-TRNG) 4 Day Training	\$4,500.00
3	Gap-Terrorism Tactics & Countermeasures (21GN-00-TRNG) 3 Day Training	\$4,500.00
3	Gap- Cutting Torch Module	\$17,000.00
3	Gap-Law Enforcement HazMat Planning and Response (21GN-00-TRNG) 3 Day Training	\$3,500.00
3	Bomb Suit (02PE-01-BSUT)	\$23,000.00
3	EOD 9 Helmet (02PE-02-HLMT)	\$6,000.00
3	Bomb Tech EOD Course ATS 302	\$20,382.00
3	Explosive Entry/Breaching Supplies (02EX-00-EXEN)	\$10,000.00
3	Power Cutting Saw (03SR-02-TPGS)	\$3,500.00
3	Containment Vessel Enhancement (02EX-00-TCVW)	\$18,000.00
3	Personal Propulsion Equipment/ Dive Ops (03WA-01-PROP)	\$10,000.00
35	LETP Palm Beach Metatomix Project	\$200,000.00

GRANT PERIOD: August 1, 2010 – January 31, 2013 AWARD TOTAL: \$368,882.00

FEDERAL GRANT NO: 2010-SS-T0-0092

STATE AGREEMENT NO: Provided Upon Execution

In accordance with the provisions of Federal Fiscal Year 2010 Homeland Security Grant Program, the Florida Division of Emergency Management hereby awards to the foregoing Subgrantee a grant in the amount shown above.

Payment of Funds: This Award Letter must be signed by the Official Authorized to Sign in the space below and the original returned to the Florida Division of Emergency Management before execution of your agreement. The subgrantee should not expend any funds until they receive a fully executed agreement from the Florida Division of Emergency Management and all Special Conditions are satisfied. Grant funds will be disbursed to subgrantees (according to the approved project budget) upon receipt of evidence that items have been invoiced, deliverables have been received and that funds have been expended (i.e., invoices, contracts, itemized expenses, canceled checks, etc.).

Supplantation: The Act requires that subgrantees provide assurance that subgrant funds will not be used to supplant or replace local or state funds or other resources that would otherwise have been available for homeland security activities. In compliance with that mandate, I certify that the receipt of federal funds through Florida Division of Emergency Management shall in no way supplant or replace state or local funds or other resources that would have been made available for homeland security activities.

FLORIDA RECOVERY OFFICE • DIVISION HEADQUARTERS • STATE LOGISTICS RESPONSE CENTER
 36 Skyline Drive 2555 Shumard Oak Boulevard 2702 Directors Row
 Lake Mary, FL 32746-6201 Tallahassee, FL 32399-2100 Orlando, FL 32809-5631
 Tel: 850-413-9969 • Fax: 850-488-1016
www.FloridaDisaster.org

Conditions: I certify that I understand and agree that funds will only be expended for those projects outlined in the funding amounts as individually listed above. I also certify that I understand and agree to comply with the general and fiscal terms and conditions of the grant including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; and that all agencies involved with this project understand that all federal funds are limited to a thirty-month (30) period.

RECEIVED
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SPECIAL CONDITIONS

1. The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

A. Administrative Requirements

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

B. Cost Principles

1. 2 CFR Part 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

C. Audit Requirements

1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
2. 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 FEMA.
3. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2010 Homeland Security Grant Program (HSGP) guidance and application kit.
4. The recipient shall not undertake any project having the potential to impact Environmental or Historical Preservation (EHP) resources without the prior approval of FEMA, including but not limited to ground disturbance, construction, modification of structures, and purchase and use of sonar equipment. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.
5. A. Provision applicable to a recipient that is a private entity.
 1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - a. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - b. Procure a commercial sex act during the period of time that the award is in effect; or
 - c. Use forced labor in the performance of the award or subawards under the award.
 2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:

- a. Is determined to have violated a prohibition in paragraph A.1 of this award term; or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR Part 3000.
- B. Provisions applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:
- 1. Is determined to have violated a prohibition in paragraph A.1 of this award term; or
 - 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:
 - a. Associated with performance under this award; or
 - b. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR Part 3000.
- C. Provision applicable to any recipient.
- 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.
 - 2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:
 - a. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - b. Is in addition to all other remedies for noncompliance that are available to us under this award.
 - 3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.
6. Definitions. For purposes of this award term:
- 1. "Employee" means either:
 - a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - 2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - 3. "Private entity" means:
 - a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
 - b. Includes:

- i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
- 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22U.S.C. 7102).
- 7.
 - A. "Classified national security information," as defined in Executive Order (EO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.
 - B. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and has access to such information.
 - C. Where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subawardee, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed.
 - D. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS "Standard Operating Procedures, Classified Contracting by States and Local Entities," dated July 7, 2008; EOs 12829, 12958, 12968, as amended; the National Industrial Security Program Operating Manual (NISPOM); and/or other applicable implementing directives or instructions. All security requirement documents are located at: <http://www.dhs.gov/xopnbix/grants/index.shtm>
 - E. Immediately upon determination by the award recipient that funding under this award will be used to support such a contract, subaward, or other agreement, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, or the applicable Federal department or agency, for approval and processing instructions.

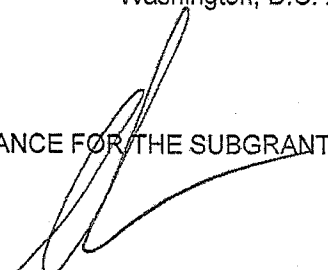
DHS Office of Security ISPB contact information:

Email: DD254AdministrativeSecurity@dhs.gov

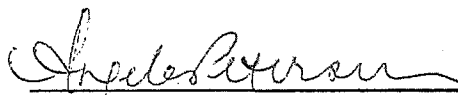
Mail: Department of Homeland Security
 Office of the Chief Security Officer
 ATTN: ASD/Industrial Security Program Branch
 Washington, D.C. 20528

11 JUN 2010 10:28
 FISCAL

ACCEPTANCE FOR THE SUBGRANTEE:



 Signature of Official Authorized to Sign for Grantee



 Signature of State Administrative Agency
