

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

Meeting Date: November 22, 2016

<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public Hearing

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Victim Services

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) ratify the Mayor's signature on Cooperative Agreement 2016-XV-GX-K018 with the U.S. Department of Justice, Office of Justice Programs, for the period of October 1, 2016, through September 30, 2019, to receive grant funding in the amount of \$579,965 to develop and institutionalize a multidisciplinary approach to responding to families of complex homicide cases involving Driving Under the Influence (DUI) or Impaired Driving; **B) approve** the addition of one (1) full-time Victim Advocate (pay grade 25) and one (1) MRFCCCHC Project Coordinator (pay grade 26) to the Victim Services complement; **C) approve** a budget amendment of \$579,965 in the Public Safety Grants Fund to recognize the grant award.

Summary: The County was selected as a demonstration site to develop and institutionalize a multi-disciplinary coordinated approach to responding to deaths involving DUI or Impaired Driving and meeting the needs of survivors/victims through trauma-informed and victim-centered approaches. The award includes funding for Florida State University to serve as the project research partner, Mother's Against Drunk Driving to assist with Death Notification Training, and two County positions. The Multidisciplinary Response to Families and Communities in Complex Homicide Cases (MRFCCHC) Project Coordinator will be responsible for organizing and coordinating the implementation of the multi-disciplinary response team, ensuring site and agency performance of, compliance with and fidelity to the team, and coordinating the work and products of partner organizations. The Victim Advocate will provide direct services to survivors/victims of homicide to include crisis intervention, supportive counseling, accompaniment, and other advocacy assistance. If grant funding ceases, the positions will be deleted from the Victims Services complement. The emergency signature process was utilized to execute the Agreement because there was not sufficient time to submit the Agreement through the regular agenda item process and adhere to the project timeline. **No County matching funds are required.** Countywide (LDC).

Background and Justification: (continued on page 3)

Attachments:

- 1) Cooperative Agreement: 2016-XV-GX-K018
- 2) Job Descriptions: Victim Advocate and MRFCCHC Project Coordinator
- 3) Budget Amendment Public Safety Grant Fund

Recommended by: Stephanie Simpson 10/27/16
Department Director Date

Approved By: _____ **Date** 11-8-16

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Capital Expenditures					
Operating Costs	579,965				
External Revenues	(579,965)				
Program Income (County)					
In-Kind Match (County)					
Net Fiscal Impact	0				

ADDITIONAL FTE

POSITIONS (Cumulative)	0	0	0	0	0
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Is Item Included In Current Budget? Yes ____ No X

Budget Account Exp No: Fund 1426 Department 662 Unit 3297 Object var
Rev No: Fund 1426 Department 662 Unit 3297 RevSc 3129

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

Grant:

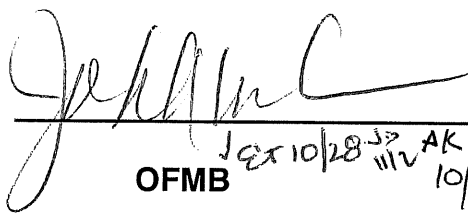
Fund:1426 – Public Safety Grant

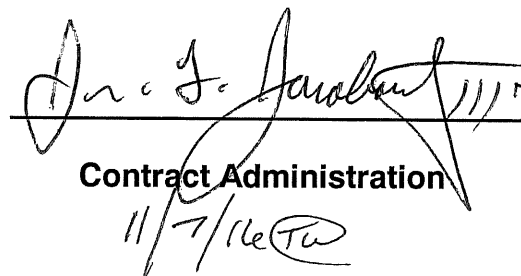
Unit: 3297 – DUI Grant

Departmental Fiscal Review:  10/21/14

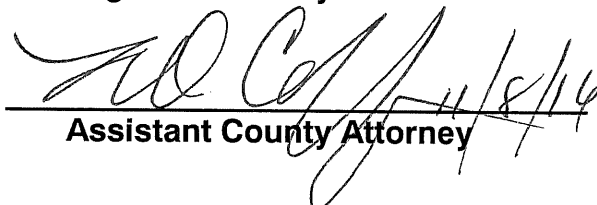
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:


OFMB 10/28/14 AK 10/29/14

 11/7/16
Contract Administration 11/7/16 TW

B. Legal Sufficiency:

 11/8/14
Assistant County Attorney

C. Other Department Review:


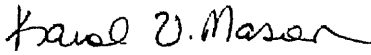
Department Director

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

Background and Justification: According to the Florida Department of Transportation 2010-2014 data, Palm Beach County is ranked the third highest Florida County for impaired driving. In 2014, there were 33 alcohol impaired driving fatalities in Palm Beach County, according to the National Highway Traffic Safety Administration, which accounted for approximately 26% of all traffic related deaths. Additionally, the Palm Beach County Sheriff's Office, the largest law enforcement agency in Palm Beach County, reported approximately that 27% of all traffic related deaths investigated were attributed to DUI/Impaired Driving.

Impaired driving crashes are often initially treated as accidents instead of crimes, which hinders the appropriate delivery of victim services, or in some cases, may lead to the absence of services altogether. The lengthy process of completing toxicology reports and related medical examiner's investigative reports, both of which are required to determine prosecutorial options, often leave families waiting for up to six months to know whether or not the impaired driver will be charged for the death of their family member(s) and are left alone in their grief, unable to be linked to resources like victim's compensation, burial assistance, evidence-based therapy, personal and legal advocacy and emergency financial assistance that are readily available in their community.

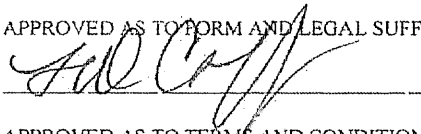
To address this concern, the Division of Victim Services (DVS) submitted a grant application on June 20, 2016 that proposed to develop and institutionalize a multi-disciplinary coordinated approach to responding to deaths involving DUI or Impaired Driving and meeting the needs of survivor/victims through trauma-informed and victim-centered approaches. On September 30, 2016, DVS was informed that the application was approved.

	U.S. Department of Justice Office of Justice Programs Office for Victims of Crime	Cooperative Agreement	PAGE 1 OF 15
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Palm Beach County Board of County Commissioners 301 N. Olive Avenue West Palm Beach, FL 33401		4. AWARD NUMBER: 2016-XV-GX-K018	
		5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2019 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2019	
2a. GRANTEE IRS/VENDOR NO. 596000078		6. AWARD DATE 09/30/2016	7. ACTION Initial
2b. GRANTEE DUNS NO. 078470481		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE Palm Beach County's Enhanced Response to DUI/Impaired Driving Related Deaths		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 579,965	
		11. TOTAL AWARD \$ 579,965	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under Pub. L. No. 114-113; 129 Stat. 2242, 2309, 2323 (Sec. 505); 42 USC 10601(d)(4)(C).			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.582 - Crime Victim Assistance/Discretionary Grants			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Karol Virginia Mason Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Mary Lou Berger Mayor	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X G XV 40 00 00 579965		21. RXVPGT0160	

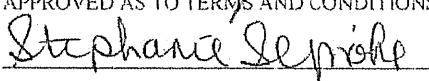
OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



APPROVED AS TO TERMS AND CONDITIONS:



Attachment # 1

Page 1 of 15



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 2 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this 2016 award from the Office of Justice Programs (OJP).

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this 2016 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded in 2014 or earlier years), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2016 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide"), including any updated version that may be posted during the period of performance.

3. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <http://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 3 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

4. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

5. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal 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 provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

6. Requirements related to System for Award Management and Unique Entity Identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <http://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <http://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

7. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: Award Condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 4 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

8. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

9. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

10. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

11. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

12. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/ojptrainingguidingprinciples.htm>.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 5 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

13. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

14. The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

15. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

16. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

17. Restrictions on "lobbying"

Federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government.

Should any question arise as to whether a particular use of Federal funds by a recipient (or subrecipient) would or might fall within the scope of this prohibition, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 6 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

18. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

19. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates 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.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig>.

Attachment # 1

Page 6 of 15



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 7 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

20. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

Attachment # 1

Page 7 of 15



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 8 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

21. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

22. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

23. Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OJP grant funds, without prior written approval from OJP.

24. Responsibility for the day-to-day conduct of the project rests with the recipient. This specifically includes operations, data collection, analysis and interpretation.

25. Responsibility for general oversight and redirection of the project, if necessary, rests with OVC. OVC will review and approve all activities in the requirements under the various stages, as enumerated in the solicitation. This includes review and approval in a timely manner of all key personnel selections, consultants, assessments, plans, instruments, manuals, and documents developed or identified for use during the project, with suggestions for modifications. The program solicitation is hereby incorporated by reference into the Cooperative Agreement making it part of the overall agreement, requiring adherence to its overall design.

26. Responsibility for the coordination of topics addressed or services rendered is shared jointly with the OVC and the recipient. Where appropriate, the recipient will act jointly with OVC in accomplishing the following tasks: 1) determination of modifications to the program plan or budget; and, 2) design of data collection instruments. In executing this responsibility, OVC requires that its program specialist meet periodically with recipient (as determined by OVC) throughout the life of the project to discuss project activities, plans, problems, and solutions.

27. OVC reserves the right to take appropriate action in instances when the grantee fails to initiate activity on the grant or misses multiple time tasklines. OVC action may include, but is not limited to, termination or suspension of the grant.

28. The recipient authorizes the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, papers, or documents related to this grant.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 9 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

29. The Project Director and key program personnel designated in the application shall be replaced only for compelling reasons. Successors to key personnel must be approved, and such approval is contingent upon submission of appropriate information, including, but not limited to, a resume. OJP will not unreasonably withhold approval. Changes in other program personnel require only notification to OJP and submission of resumes, unless otherwise designated in the award document.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 10 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

30. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 11 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

31. Recipient integrity and performance matters; Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <http://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

32. The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <http://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

33. The recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
34. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.
35. The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 90 days following the close of this award period or the expiration of any extension periods. This report will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.

Attachment# 1

Page 11 of 15



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 12 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

36. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

37. The grantee agrees that OVC retains the right to make a final determination whether to publish or produce any grant-funded product as an OVC-sponsored product. Only after OVC decides against official publication, can the grantee independently release a publication or product for sale or dissemination, at its own expense. However, if the grantee releases this information, it may not include use of the OVC logo, or other indicia that it is an official OVC publication.
38. The grantee agrees to submit the final draft of any publication, product, or electronic information at least 120 days before the end date of the grant for OVC review. The grantee agrees to use grant funds to make any substantive corrections, if appropriate, to a publication or product in response to comments generated through either the OVC peer review process or the internal Department of Justice review process. Any grant-funded products (written, Web-based, audio-visual, or any other media format), whether produced at the grantee's or government's expense, shall contain the following statement: This _____ was produced by _____ under [add contract or grant number, as appropriate], awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this _____ are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.
39. The grantee agrees to comply with the requirements set forth in the current edition of the OVC Publishing Guidelines Handbook at <http://www.ojp.usdoj.gov/ovc/publications/infores/pubguidelines/welcome.html>.
40. The grantee agrees that it may not disseminate drafts of training curricula and other grant-supported materials beyond pilot testing of the material, unless otherwise specifically approved by OVC in writing in advance. Such materials must be clearly marked "DRAFT" and the OVC disclaimer must be included on all such documents. The OVC logo shall not be displayed until the document is final and has been approved by OVC for final publication or electronic dissemination. Grantees are advised not to assume that products submitted to OVC will be ready for immediate release. Contact your grant monitor for more information.
41. The grantee agrees to submit any print or electronic promotional materials concerning any OVC-funded project that are intended for public dissemination to OVC for review seven (7) working days in advance of release. This includes, but is not limited to: fact sheets, newsletters, press releases, Web-based materials, and listserv announcements.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 13 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

42. Within 90 days of the date of award, the grantee will submit to the Office for Victims of Crime for review and approval its policies and procedures that it has established to maintain the confidentiality of victims' names, addresses, telephone numbers, or any other identifying information, and its policies and procedures relating to information sharing between partners. In addition, the grantee must submit a signed, written certification that data privacy and sharing protocols comport with the confidentiality and privacy rights and obligations of federal law or the grantee jurisdiction's laws, court rules, or rules of professional conduct applicable to the work performed by the grantee.
43. Grantee 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. Grantee 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.
44. Grantee 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.
45. Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.
46. The grantee understands and agrees that, with respect to the provision of services or benefits to a specific population, any individual who is otherwise eligible to participate in any program or activity supported by any of these grant funds shall be provided with such services or benefits as funded under this award, without regard to race, color, religion, national origin, or sex. With respect to a single-sex program or activity, unless there is legal authority for the exclusivity, the recipient agrees to identify and refer the excluded individuals to, or provide them with, a comparable alternative program or service.
47. No federal funds shall be used to pay for any part of air travel that includes business or first class seating except as authorized for government travel (as described in OMB Circular A-122) and authorized by the grant manager prior to booking such tickets.
48. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 14 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

49. Authorization required for all subawards and also for ("large") procurement contracts to be awarded without competition

Background. Recipients of OJP awards typically may propose to make "subawards" ("subgrants") and also may propose to enter into procurement "contracts" under the award. Whether -- for purposes of federal grants administrative requirements -- a particular agreement between a recipient and a third party will be considered a subaward, or instead will be considered a procurement contract under the award, will be determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the federal grants administrative rules and requirements that apply to subawards and to procurement contracts under awards differ markedly. Neither the title nor the structure of an agreement determines whether -- for purposes of federal grants administrative requirements -- an agreement is a subaward or is instead a procurement contract under an award. Also, financial clearance by OJP of a proposed budget does not indicate whether -- for purposes of federal grants administrative requirements -- OJP agrees with the applicant's characterization of a proposed agreement (that is, one listed in the budget) as either a subaward or a procurement contract.

A. All subawards ("subgrants") must have specific federal authorization

Pursuant to the Part 200 Uniform Requirements and other applicable rules, the recipient may not make a subaward ("subgrant") unless the recipient has specific federal authorization to do so. Under some OJP programs -- such as many statutory "formula" programs -- particular types of subawards are federally authorized by specific provisions in a program statute or DOJ regulation. In other cases, the recipient is not permitted to obligate, expend, or draw down any award funds for a subaward ("subgrant") until and unless it has specific authorization for the subaward from OJP.

When deciding whether to authorize a particular subaward, OJP considers pertinent information, including-- (1) the identity of the proposed subrecipient, (2) the roles and responsibilities of the proposed subrecipient in carrying out the federal award and federal program, and (3) the justification provided by the recipient for the proposed subaward, including matters such as special qualifications and areas of expertise. In some cases, the recipient already may have included the necessary information on the proposed subaward in its funded application. In others, a post-award submission may be required.

B. A "large" procurement contract (currently, one over \$150,000) requires advance OJP authorization if it will be awarded without competition

If the recipient seeks, without competition -- (1) to enter into an agreement that OJP considers a procurement "contract" for purposes of federal grants administrative requirements (and therefore not a "subaward" under those requirements), and (2) the agreement will exceed the simplified acquisition threshold (currently, \$150,000), the recipient may not proceed with the procurement, and may not award the contract, unless and until it receives specific advance authorization from OJP to use a non-competitive approach.

Neither this OJP award document nor a financial clearance by OJP's OCFO of the proposed budget for this award (including a financial clearance issued after the recipient accepts the award) constitutes the required specific advance authorization to use a non-competitive approach.

In deciding whether to authorize a recipient to proceed with a procurement contract without competition, OJP will consider the justification submitted by the recipient, including the details that explain why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent are outlined in the DOJ Grants Financial Guide.



U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

AWARD CONTINUATION
SHEET
Cooperative Agreement

PAGE 15 OF 15

PROJECT NUMBER 2016-XV-GX-K018

AWARD DATE 09/30/2016

SPECIAL CONDITIONS

50. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award 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.

51. Representation and agreement regarding funds in offshore accounts

In accepting this award, the recipient nonprofit organization --

(1) represents to the Department of Justice that it does not hold money in offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a), and agrees that it will not hold money in any such accounts for such a purpose during the period of performance of this award; and

(2) agrees that, if, during the period of performance of this award, the recipient learns that it does hold money in offshore accounts for such a purpose, it will immediately stop any further obligations of award funds, it will provide prompt written notification to OJP, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by OJP.

52. The grantee agrees to submit to OVC, within 30 days of award, a revised time-task plan. This revised time-task plan should be developed in consultation with the OVC program specialist assigned to the project, and should clearly indicate the following: (1) each of the stated project objectives and the tasks to be performed to achieve those objectives; (2) the completion dates for tasks and delivery dates for products; (3) the project staff responsible for accomplishing each task; 4) submission dates for financial and programmatic progress reports, consistent with the requirements of the OJP Financial Guide; and 5) incorporation of development schedule for print, video, and multimedia products to assure periodic OVC reviews of products (see Product Submission Requirements).

53. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.

VICTIM SERVICES MRFCCCHC PROJECT COORDINATOR

NATURE OF WORK

This is professional work coordinating the Multidisciplinary Responses to Families and Communities in Complex Homicide Cases more specifically, Driving Under the Influence (DUI)/Impaired Driving Related Deaths demonstration project in Palm Beach County. The MRFCCCHC Project Coordinator will be responsible for organizing and coordinating the implementation of the Multidisciplinary Response Team. The MRFCCCHC Project Coordinator will be responsible for reasonably insuring site and agency performance of, compliance with, and fidelity to the Team. This person will be accountable for having ready access to, communicating frequently with, and coordinating the work and products of partner agencies.

EXAMPLES OF WORK

Participate in the development and ongoing implementation and coordination of the multidisciplinary response to family members of victims of DUI/Impaired Driving Related Deaths with partnering agencies, technical assistance (TA) providers and grantor.

Work collaboratively with other project staff to ensure goals and objectives are being met.

Keep agency partners informed about project status and issues that may impact implementation.

Maintain regular communication with partner agency coordinators, which may include email, phone, and in-person meetings.

Coordinate, schedule and may facilitate project meetings.

Compile data and prepare project implementation and grant related reports as required.

Track project progress against established timeline.

Review and assist with policy and procedure revisions and development related to implementation.

Assist with developing and maintaining training, implementation and evaluation materials.

Perform related work as required.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

Knowledge in the field of DUI/Impaired Driving related deaths.

Knowledge of death notifications and responding to crime scenes, hospitals and homes with law enforcement officers.

Knowledge of the principles of management, organization and administration.

Knowledge of Microsoft Office, including Word, Excel, PowerPoint, Outlook.

Ability to communicate effectively both orally and in writing.

Attachment# 2

Page 1 of 4

Ability to organize, coordinate and manage multiple priorities, work independently and meet deadlines.

Requires reliable transportation and valid driver's license.

MINIMUM ENTRANCE REQUIREMENTS

Graduation from an accredited college or university with major course work in Business Administration, Criminal Justice, Sociology, Social Work or closely related field; one (1) year of experience in a program of social service to include community response coordination activities; or any equivalent combination of related training and experience.

Rev. 6/2016

VICTIM ADVOCATE**NATURE OF WORK**

This is professional and specialized work serving victims of crime assigned to the Victim Services Section within the Department of Public Safety.

An employee in a position allocation to this class is responsible for providing crisis intervention, supportive counseling and advocacy for victims of sexual assault, domestic assault, general crime and homicide. Work is performed under the general supervision of a team supervisor, but the employee is expected to exercise initiative and responsibility. Work is reviewed through conferences, reports and effectiveness of work results.

EXAMPLES OF WORK

Provides crisis intervention and follow through services on a 24 hour rotation basis for sexual assault victims.

Provides short term counseling and advocacy for all crime victims including domestic assault, general felony crimes, homicide and DUI fatalities.

Provides legal, social and medical referrals to victims.

Assists with filing for crimes compensation.

Provides transportation for court related functions when possible.

Acts as a liaison for victims with assistant state attorneys, law enforcement officers, social and welfare agencies.

Assists with the training and supervision of volunteers and interns.

Provides public awareness and professional training on victimization and victims' rights issues; attends meetings and conferences.

Performs related work as required.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of criminal victimization and related Florida laws.

Knowledge of the dynamics of sexual assault, domestic assault, general felonies and homicide.

Knowledge and experience with crisis intervention and short term supportive counseling and advocacy.

Knowledge of the criminal justice system, social and legal referral systems.

Ability to exercise mature judgment and initiative in responding to 24 hour crisis, court advocacy and other client needs.

Ability to work effectively with a minimum of supervision.

Ability to express ideas clearly, both orally and in writing.

Ability to effectively communicate with primary and secondary victims and referral sources in a professional manner.

Ability to maintain accurate records and prepare written reports on a timely basis.

VICTIM ADVOCATE - CONT'D**MINIMUM ENTRANCE REQUIREMENTS**

Graduation from an accredited college or university with major course work in Psychology, Counseling, Criminal Justice, Social Work, Public Service or related field; one (1) year of experience assisting people from diverse ethnic/socioeconomic backgrounds in the areas of criminal victimization, crisis intervention, supportive counseling and case management, including coordinating services/training; or any equivalent combination of related training and experience.

NECESSARY SPECIAL REQUIREMENT

Must successfully complete Office of Attorney General Victim Practitioner Certification and Florida Council Against Sexual Violence Rape Crisis Certification within eleven (11) months of hire. Must possess certification throughout employment.

Rev. 08/2013

Attachment # 2

Page 4 of 4

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

BGEX - 662- 102116*139
BGRV - 662- 102116*16

FUND 1426 - Public Safety Grant

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 10/1/2016	REMAINING BALANCE
Revenue								
1426-662-3297-3129	Fed Grnt Other Public Safety	0	0	579,965		579,965		
Total Revenue and Balance		1,592,831	1,592,831	579,965	0	2,172,796		
Expense								
1426-662-3297-1201	Salaries & Wages	0	0	260,216	0	260,216	0	260,216
1426-662-3297-1501	Wages-Special No FRS Contributions	0	0	5,040	0	5,040	0	5,040
1426-662-3297-2101	Fica-Taxes	0	0	16,134	0	16,134	0	16,134
1426-662-3297-2105	Fica Medicare	0	0	3,773	0	3,773	0	3,773
1426-662-3297-2201	Retirement Contributions-FRS	0	0	19,568	0	19,568	0	19,568
1426-662-3297-2301	Insurance-Life & Health	0	0	79,560	0	79,560	0	79,560
1426-662-3297-3401	Other Contractual Services	0	0	177,197	0	177,197	0	177,197
1426-662-3297-3421	Other Contractual Services	0	0	1,000	0	1,000	0	1,000
1426-662-3297-4001	Travel and Per Diem	0	0	8,830	0	8,830	0	8,830
1426-662-3297-4007	Travel-Mileage	0	0	1,944	0	1,944	0	1,944
1426-662-3297-4941	Registration Fees	0	0	1,000	0	1,000	0	1,000
1426-662-3297-5101	Office Supplies	0	0	2,403	0	2,403	0	2,403
1426-662-3297-5121	Data Processing Software/Accessories	0	0	500	0	500	0	500
1426-662-3297-6405	Data Processing Equipment	0	0	2,800	0	2,800	0	2,800
Total Appropriation and Expenditures		1,592,831	1,592,831	579,965	0	2,172,796		

PUBLIC SAFETY
INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures _____ Date 10/21/16

By Board of County Commissioners
At Meeting of _____
11/22/2016
Deputy Clerk to the
Board of County Commissioners

Attachment # 3

Page 1 of 1