

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

Meeting Date: December 19, 2017	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
	<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	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) Receive and File** a Modification #1 to Subgrant Agreement between the Division of Emergency Management and the Palm Beach County Sheriff's Office on behalf of the Palm Beach County Sheriff's Office to modify the budget distribution, scope of work, and deliverables and to **(B) Receive and File** Modification #2 to same Subgrant Agreement to extend the grant period from December 31, 2017 through June 30, 2018.

Summary: The Board of County Commissioners accepted this grant for \$239,384 on November 1, 2016 (R-2016-1611). This agenda item will modify the budget distribution, scope of work, and deliverables through Modification #1 and extend the grant period from December 31, 2017 through June 30, 2018 through Modification #2. Countywide (LDC)

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 Contract number is 17-DS-V4-11-60-01-231.

Attachments:

1. Modification #1 to Subgrant Agreement
1. Modification #2 to Subgrant Agreement
2. R-2016-1611

RECOMMENDED BY:

DEPARTMENT DIRECTOR

11/30/2017
DATE

APPROVED BY:

COUNTY ADMINISTRATOR

DATE _____

12/3/17

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	0				
Operating Costs	0				
External Revenues	0				
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
Does this item include the use of federal funds: Yes _____ X _____ No _____

Budget Account No.: Fund 1152 Agency 160 Org 2303 Object 3129

Reporting Category _____

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

*No additional fiscal impact-time extension only.

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

[Signature] 12/5/17 OFMB ~~X~~ 12/5
[Signature] Contract Administration 12/12/17 RD

B. Legal Sufficiency:

[Signature] 12/13/17
Assistant County Attorney

C. Other Department Review:

Department Director

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

**MODIFICATION #1 TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
PALM BEACH COUNTY SHERIFF'S OFFICE**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and Palm Beach County Sheriff's Office ("Recipient"), to modify Contract Number 17-DS-V4-11-60-01-231, which began on September 15, 2016 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the State Homeland Security Grant program of \$239,384.00;

WHEREAS, the Division and the Recipient desire to modify the Agreement;

WHEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Budget, Attachment A to the Agreement, is hereby modified as set forth in 1st Revised Attachment A to this Modification, which is attached hereto and incorporated herein by reference.
2. The Scope of Work, Attachment B to the Agreement, is hereby modified as set forth in 1st Revised Attachment B to this Modification, which is attached hereto and incorporated herein by reference.
3. The Deliverables, Attachment C to the Agreement, is hereby modified as set forth in 1st Revised Attachment C to this Modification, which is attached hereto and incorporated herein by reference.
4. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.
5. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: PALM BEACH COUNTY SHERIFF'S OFFICE

By: _____

Name and Title: Rich L. Bradschaw, Sheriff

Date: 8/22/17

DIVISION OF EMERGENCY MANAGEMENT

By: _____

Name and Title: Michael Kennett, Deputy Director

Date: 18 Sep 17

**1st Revised
ATTACHMENT A**

PROPOSED PROGRAM BUDGET

Below is a general budget which outlines eligible categories and their allocation under this award. The Sub-recipient is to utilize the "Proposed Program Budget" as a guide for completing the "Budget Detail Worksheet" below.

The Equipment category will require Authorized Equipment List (AEL) reference number. The Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA's preparedness grant programs. The intended audience of this tool is emergency managers, first responders, and other homeland security professionals. The list consists of 21 equipment categories divided into sub-categories, tertiary categories, and then individual equipment items. The AEL can be found at <http://www.fema.gov/authorized-equipment-list>.

The ***transfer of funds between the categories*** listed in the "Proposed Program Budget" ***is permitted***. However, the ***transfer of funds between Issues is strictly prohibited***.

Grant	Sub-recipient Agency	Issue/Category	Amount Allocated
FY 2016 – State Homeland Security Grant Program	<u>Palm Beach County Sheriff's Office</u>	Issue 3 – Organization & Training	\$116,000
		Issue 4 - Equipment	\$50,000
		Issue 7 – Planning	\$70,000
		Issue 23 – Equipment	\$3,384
Total Award			\$239,384

BUDGET DETAIL WORKSHEET

The Sub-recipient is required to provide a completed budget detail worksheet, to the Division, which accounts for the total award as described in the "Proposed Program Budget".

If any changes need to be made to the "Budget Detail Worksheet", after the execution of this agreement, contact the grant manager listed in this agreement via email or letter.

FY2016 Budget Detail Worksheet– Eligible Activities (Not limited to activities below)				
Allowable Planning Costs	Quantity	Unit Cost	Total Cost	Issue Number
Developing hazard/threat-specific annexes that incorporate the range of prevention, protection, response, and recovery activities				
Developing and implementing homeland security support programs and adopting ongoing DHS national initiatives				
Developing related terrorism and other catastrophic event prevention activities				
Developing and enhancing plans and protocols				
Developing or conducting assessments				
Hiring of full or part-time staff or contractors/consultants to assist with planning activities (not for the purpose of hiring public safety personnel fulfilling traditional public safety duties)	1	\$70,000	\$70,000	7
Materials required to conduct planning activities				
Travel/per diem related to planning activities				
Overtime and backfill costs (in accordance with operational Cost Guidance)				
Issuance of WHTI-compliant tribal identification cards				
Other projects areas with prior approval from FEMA				
Activities to achieve planning inclusive of people with disabilities and others with access and functional needs				
Coordination with Citizen Corps Councils for public information/education and development of volunteers				
Update governance structures and process and plans for emergency communications				
Activities to achieve planning inclusive of people with limited English proficiency				
TOTAL PLANNING EXPENDITURES			\$70,000	
Allowable Training Costs	Quantity	Unit Cost	Total Cost	Issue Number
Developing, Delivering, and Evaluating Training				
Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes				
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training				

Training Workshops and Conferences	4	\$1,500	\$6,000	3
Activities to achieve training inclusive of people with disabilities and others with access and functional needs				
Full or Part-Time Staff or Contractors/Consultants				
Certification/Recertification of Instructors				
Travel				
Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise project(s) (e.g., copying paper, gloves, tape, non-sterile masks, and disposable protective equipment).				
Instructor certification.re-certification				
Coordination with Citizen Corps Councils in conducting training				
Interoperable communications training				
TOTAL TRAINING EXPENDITURES			\$6,000	
Allowable HSGP and LETP Organizational Activities	Quantity	Unit Cost	Total Cost	Issue Number
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50 percent of the allocation)				
Overtime for information, investigative, and intelligence sharing activities (up to 50 percent of the allocation)				
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50 percent of the allocation)	2	\$55,000	\$110,000	3
TOTAL ORGANIZATIONAL EXPENDITURES			\$110,000	
Eligible Equipment Acquisition Costs The table below highlights the allowable equipment categories for this award. A comprehensive listing of these allowable equipment categories, and specific equipment eligible under each category, are listed on the web-based version of the Authorized Equipment List (AEL) at http://www.fema.gov/authorized-equipment-list .	Quantity	Unit Cost	Total Cost	Issue Number
Personal protective equipment				
Dupont Tychem QC Coverall Chem/Bio Suit (01-CL-03-ENSM)	4	\$290	\$1,160	23
Scott Safety CBRN Cap-1 Canister/Enforcement Cartridge (01-AR-03-PAPC)	12	\$112	\$1,344	23
Scott Safety C420 PAPR spare lithium sulfur dioxide battery pack (01-AR-03-PAPB)	8	\$110	\$880	23
Explosive device mitigation and remediation equipment				

CBRNE operational search and rescue equipment				
Information technology				
Open Source/Social Media Data Mining Tool (13-IT-00-INTL)	1	\$20,000	\$20,000	4
LEARN-NVLS Licenses LPR Services (13-IT-00-INTL)	1	\$7,500	\$7,500	4
I2 Analyst Notebook Software Maintenance (13-IT-00-INTL)	1	\$7,500	\$7,500	4
ACISS Intelligence and SAR Software Maintenance	1	\$15,000	\$15,000	4
Cybersecurity enhancement equipment				
Interoperable communications equipment				
Detection Equipment				
Decontamination Equipment				
Medical supplies				
Power equipment				
CBRNE reference materials				
CBRNE incident response vehicles				
Terrorism incident prevention equipment				
Physical security enhancement equipment				
Inspection and Screening systems				
Animal and Plants				
CBRNE Prevention and Response watercraft				
CBRNE Aviation Equipment				
CBRNE logistical support equipment				
Intervention equipment				
Other authorized equipment costs (include any construction or renovation costs in this category; Written approval must be provided by FEMA prior to the use of any funds for construction or renovation)				

TOTAL EQUIPMENT EXPENDITURES	\$53,384
TOTAL EXPENDITURES	\$239,384

1st Revised
ATTACHMENT B

SCOPE OF WORK

Sub-recipients must comply with all the requirements in 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards).

Funding is provided to perform eligible activities as identified in the Domestic Homeland Security – Federal Emergency Management Agency National Preparedness Directorate Fiscal Year 2016 Homeland Security Grant Program (HSGP), consistent with the Department of Homeland Security State Strategy. Eligible activities are outlined in the Scope of Work for each category below:

I. Issue and Project Description

Issue 3 – Sustainment of Analyst: These personnel are essential to successfully executing the Critical Operational Capabilities – Receive, Analyze, Disseminate, and Gather as well as the Enabling Capabilities of Privacy, Civil Rights, and Civil Liberties Protections, Sustainment Strategy, Communications and Outreach, and Security.

Issue 4 - Fusion Centers: Sustains ongoing support of vital intelligence and information systems, and provides for ongoing training of fusion center analysts as well as the ability to plan for future fusion center needs. Items include: licenses for analytic software; FC Advisory Board meetings; travel for analysts; IT support and SharePoint Administrator.

Issue 7 - Sustainment of Metadata Planners: Metadata Planners coordinate with law enforcement agencies and information technology staffs operating the data sharing systems to identify, classify, extract, transmit, and load data between systems. They coordinate application administration, training and end user support for all participating agencies within their regions.

Issue 23 – FRT Sustainment and Maintenance: This project will provide protective equipment for personnel deployed to mass disasters and CBRNE events.

II. Categories and Eligible Activities

FY2016 allowable costs are divided into the following categories: **Planning, Organization and Equipment** are allowable categories in this Agreement. Each category's allowable costs have been listed in the "Budget Detail Worksheet" above.

A. Allowable Planning Related Costs

- SHSP funds may be used for a range of emergency preparedness and management planning activities and such as those associated with the development of the THIRA, SPR, continuity of operations plans and other planning activities that support the Goal and placing an emphasis on updating and maintaining a current EOP that conforms to the guidelines outlined in *CPG 101 v 2.0*.
- Developing hazard/threat-specific annexes that incorporate the range of prevention, protection, response, and recovery activities

- Developing and implementing homeland security support programs and adopting DHS/FEMA national initiatives
- Developing related terrorism and other catastrophic event prevention activities
- Developing and enhancing plans and protocols
- Developing or conducting assessments
- Hiring of full- or part-time staff or contract/consultants to assist with planning activities (not for the purpose of hiring public safety personnel fulfilling traditional public safety duties)
- Materials required to conduct planning activities
- Travel/per diem related to planning activities
- Overtime and backfill costs (in accordance with operational Cost Guidance)
- Issuance of WHTI-compliant Tribal identification card
- Activities to achieve planning inclusive of people with disabilities
- Coordination with Citizen Corps Councils for public information/education and development of volunteer programs
- Update governance structures and processes and plans for emergency communications

Additional Planning Information

FEMA's National Preparedness Directorate (NPD) offers technical assistance (TA) that is designed to provide sub-recipients and sub-sub-recipients with specialized expertise to improve their emergency plans and planning. TA deliveries are designed specifically to improve and enhance the continuing development of state and local emergency management across the five mission areas of the National Preparedness Goal and across all core capabilities. TA provides the opportunity to engage emergency managers, emergency planners, and appropriate decision-makers in open discussion of options to improve plans and planning in light of their jurisdiction's needs. There is no cost to approved jurisdictions for DHS/FEMA TA.

TA deliveries combine current emergency management best practices with practical consideration of emerging trends, through discussion facilitated by DHS/FEMA contract specialists and with the support of FEMA Region operational specialists. While the invitation of participants is up to the requesting jurisdiction, DHS/FEMA encourages requesting jurisdictions to include the broadest practical range of its emergency managers and planners in all TA deliveries. TA deliveries should be made open to neighboring jurisdictions. As necessary, DHS/FEMA may also invite other Federal experts and practitioners to participate. Additionally, peer-to-peer representation may also be included from other jurisdictions that have recently used TA for the same planning issue.

The TA catalog, showing the full range of TA available across all five mission areas and by all providers, and the TA request form can be accessed at <http://www.fema.gov/national-incident-management-system/fema-technical-assistance-division>.

B. Allowable Training Related Costs

Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP and UASI programs and/or in conjunction with emergency preparedness training by other Federal agencies (e.g., HHS and DOT). Training conducted using HSGP funds should address a performance gap identified through an AAR/IP or other assessments (e.g., National Emergency Communications Plan NECP Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. Any training or training gaps, including those for children, older adults, pregnant women, and individuals with disabilities and others who also have or access and functional needs, should be identified in the AAR/IP and addressed in the state or Urban Area training cycle. Sub-recipients are encouraged to use existing training rather than developing new courses. When developing new courses, sub-recipients are encouraged to apply the Analysis, Design, Development, Implementation and Evaluation model of instructional design using the *Course Development Tool*.

- Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes
- Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training
- Training workshops and conferences
- Activities to achieve training inclusive of people with disabilities
- Full- or part-time staff or contractors/consultants
- Travel
- Supplies associated with allowable approved training that are expended or consumed during the course of the planning and conduct of the exercise project(s)
- Instructor certification/re-certification
- Coordination with Citizen Corps Councils in conducting training exercises
- Interoperable communications training

Additional Training Information

Per DHS/FEMA Grant Programs Directorate Policy *FP 207-008-064-1, Review and Approval Requirements for Training Courses Funded Through Preparedness Grants*, issued on September 9, 2013, states, territories, Tribal entities and urban areas are no longer required to request approval from FEMA for personnel to attend non-DHS FEMA training as long as the training is coordinated with and approved by the state, territory, Tribal or Urban Area Training Point of Contact (TPOC) and falls within the FEMA mission scope and the jurisdiction's Emergency Operations Plan (EOP). The only exception to this policy is for Countering Violent Extremism courses.

DHS/FEMA will conduct periodic reviews of all state, territory, and Urban Area training funded by DHS/FEMA. These reviews may include requests for all course materials and physical observation of, or participation in, the funded training. If these reviews determine that courses are outside the scope of this guidance, sub-recipients will be asked to repay grant funds expended in support of those efforts.

For further information on developing courses using the instructional design methodology and tools that can facilitate the process, SAAs and TPOCs are encouraged to review the *NTED Responder Training Development Center (RTDC)* website.

DHS/FEMA Provided Training. These trainings include programs or courses developed for and delivered by institutions and organizations funded by DHS/FEMA. This includes the Center for Domestic Preparedness (CDP), the Emergency Management Institute (EMI), and the National Training and Education Division's (NTED) training partner programs including, the Continuing Training Grants, the National Domestic Preparedness Consortium (NDPC) and the Rural Domestic Preparedness Consortium (RDPC).

Approved State and Federal Sponsored Course Catalogue. This catalogue lists state and Federal sponsored courses that fall within the DHS/FEMA mission scope, and have been approved through the FEMA course review and approval process. An updated version of this catalog can be accessed at <http://www.firstrespondertraining.gov>.

Training Not Provided by DHS/FEMA. These trainings includes courses that are either state sponsored or Federal sponsored (non-DHS/FEMA), coordinated and approved by the SAA or their designated TPOC, and fall within the DHS/FEMA mission scope to prepare state, local, Tribal, and territorial personnel to prevent, protect against, mitigate, respond to, and recover from acts of terrorism or catastrophic events.

- **State Sponsored Courses.** These courses are developed for and/or delivered by institutions or organizations other than Federal entities or FEMA and are sponsored by the SAA or their designated TPOC.
- **Joint Training and Exercises with the Public and Private Sectors.** These courses are sponsored and coordinated by private sector entities to enhance public-private partnerships for training personnel to prevent, protect against, mitigate, respond to, and recover from acts of terrorism or catastrophic events. Overtime pay for first responders and emergency managers who participate in public-private training and exercises is allowable. In addition, States, territories, Tribes, and Urban Areas are encouraged to incorporate the private sector in government-sponsored training and exercises.

Additional information on both DHS/FEMA provided training and other federal and state training can be found at <http://www.firstrespondertraining.gov>.

Training Information Reporting System ("Web-Forms"). Web-Forms is an electronic form/data management system built to assist the SAA and its designated State, territory and Tribal Training Point of Contact (TPOC). Reporting training activities through Web-Forms is not required under FY 2016 HSGP, however, the system remains available and can be accessed through the FEMA Toolkit located at <http://www.firstrespondertraining.gov/admin> in order to support grantees in their own tracking of training.

FDEM State Training Office conditions: For the purposes of this Agreement, any training course listed on the DHS approved course catalog qualifies as an authorized course. The Sub-recipient can successfully complete an authorized course either by attending or conducting that course.

- In order to receive payment for successfully attending an authorized training course, the Sub-recipient must provide the Division with a certificate of course completion; additionally, the Sub-recipient must provide the Division with all receipts that document the costs incurred by the Sub-recipient in order to attend the course.

- In order to receive payment for successfully conducting an authorized course, the Sub-recipient must provide the Division with the course materials and a roster sign-in sheet; additionally, the Sub-recipient must provide the Division with all receipts that document the costs incurred by the Sub-recipient in order to conduct the course."
- For courses that are non-DHS approved training, sub-recipient must request approval to conduct training through the use of the Non-TED Form and provide a copy, along with email, showing approval granted for conduct.
- For the conduct of training workshops, sub-recipient must provide a copy of the course materials and sign-in sheets.
- The number of participants must be a minimum of 15 in order to justify the cost of holding a course. For questions regarding adequate number of participants please contact the FDEM State Training Officer for course specific guidance. Unless the sub-recipient receives advance written approval from the State Training Officer for the number of participants, then the Division will reduce the amount authorized for reimbursement on a pro-rata basis for any training with less than 15 participants.
- The Sub-recipient must include with the reimbursement package a separate copy of the page(s) from the State (and County or Regional) MYTEP reflecting the training.

C. Organization (SHSP and UASI Only)

Organizational activities include:

- Program management;
- Development of whole community partnerships, through groups such as Citizen Corp Councils;
- Structures and mechanisms for information sharing between the public and private sector;
- Implementing models, programs, and workforce enhancement initiatives to address ideologically-inspired radicalization to violence in the homeland;
- Tools, resources and activities that facilitate shared situational awareness between the public and private sectors;
- Operational Support;
- Utilization of standardized resource management concepts such as typing, inventorying, organizing, and tracking to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident;
- Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS), or needs in resulting from a National Special Security Event; and
- Paying salaries and benefits for personnel to serve as qualified intelligence analysts.

States and Urban Areas must justify proposed expenditures of SHSP or UASI funds to support organization activities within their IJ submission. All SAAs are allowed to utilize up to 50 percent (50%) of their SHSP funding and all Urban Areas are allowed up to 50 percent (50%) of their UASI funding

for personnel costs. At the request of a sub-recipient of a grant, the FEMA Administrator may grant a waiver of the 50 percent (50%) limitation noted above. Request for waivers to the personnel cap must be submitted by the SAA to GPD in writing on official letterhead, with the following information:

- Documentation explaining why the cap should be waived;
- Conditions under which the request is being submitted; and
- A budget and method of calculation of personnel costs both in percentages of the grant award and in total dollar amount. To avoid supplanting issues, the request must also include a three year staffing history for the requesting entity.

Organizational activities under SHSP and UASI include:

- **Intelligence analysts.** Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (Public Law 110-412), SHSP and UASI funds may be used to hire new staff and/or contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SHSP or UASI funding. In order to be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:
 - Successfully complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
 - Previously served as an intelligence analyst for a minimum of two years either in a Federal intelligence agency, the military, or State and/or local law enforcement intelligence unit

As identified in the *Maturation and Enhancement of State and Major Urban Area Fusion Centers* priority, all fusion center analytic personnel must demonstrate qualifications that meet or exceed competencies identified in the *Common Competencies for State, Local, and Tribal Intelligence Analysts*, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the grantee's respective Headquarters Program Analyst upon request. In addition to these training requirements, fusion centers should also continue to mature their analytic capabilities by addressing gaps in analytic capability identified during the fusion center's annual assessment.

- **Overtime costs.** Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities specifically related to homeland security and specifically requested by a Federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible fusion activities, including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. Grant funding can only be used in proportion to the Federal man-hour estimate, and only after funding for these activities from other Federal sources (i.e., FBI JTTF payments to State and local agencies) has been exhausted. Under no circumstances should DHS grant funding be used to pay for costs already supported by funding from another Federal source.
- **Operational overtime costs.** In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism, operational overtime costs are allowable for increased security measures at critical infrastructure sites. SHSP or UASI funds for organizational costs may be used to support select operational expenses associated with increased security measures at critical infrastructure sites in the following authorized categories:

- Backfill and overtime expenses for staffing State or Major Urban Area fusion centers;
- Hiring of contracted security for critical infrastructure sites;
- Participation in Regional Resiliency Assessment Program (RRAP) activities;
- Public safety overtime;
- Title 32 or State Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package (Note: Consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package); and
- Increased border security activities in coordination with CBP

SHSP or UASI funds may only be spent for operational overtime costs upon prior approval provided in writing by the FEMA Administrator per instructions in IB 379.

C. Equipment Acquisition

The 21 allowable prevention, protection, mitigation, response, and recovery equipment categories and equipment standards for HSGP are listed on the web-based version of the Authorized Equipment List (AEL) on <http://www.fema.gov/authorized-equipment-list>. Unless otherwise stated, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Grant funds may be used for the procurement of medical countermeasures. Procurement of medical countermeasures must be conducted in collaboration with State/city/local health departments who administer Federal funds from HHS for this purpose. Procurement must have a sound threat based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response. Prior to procuring pharmaceuticals, grantees must have in place an inventory management plan to avoid large periodic variations in supplies due to coinciding purchase and expiration dates. Grantees are encouraged to enter into rotational procurement agreements with vendors and distributors. Purchases of pharmaceuticals must include a budget for the disposal of expired drugs within each fiscal year's the period of performance for HSGP. The cost of disposal cannot be carried over to another FEMA grant or grant period.

The equipment, goods, and supplies ("the eligible equipment") purchased with funds provided under this agreement are for the purposes specified in "Florida's Domestic Security Strategy". Equipment purchased with these funds will be utilized in the event of emergencies, including, but not limited to, terrorism-related hazards. The sub-recipient shall place the equipment throughout the State of Florida in such a manner that, in the event of an emergency, the equipment can be deployed on the scene of the emergency or be available for use at a fixed location within two (2) hours of a request for said deployment. The Florida Division of Emergency Management (FDEM) must approve any purchases of equipment not itemized in a project's approved budget in advance of the purchase.

The sub-recipient will, in accordance with the statewide mutual aid agreement or other emergency response purpose as specified in the "Florida Domestic Security Strategy," ensure that all equipment purchased with these funds is used to respond to any and all incidents within its regional response area as applicable for so long as

this Agreement remains in effect. Prior to requesting a response, the FDEM will take prudent and appropriate action to determine that the level or intensity of the incident is such that the specialized equipment and resources are necessary to mitigate the outcome of the incident.

The sub-recipient shall notify the FDEM Office of Domestic Preparedness at 2555 Shumard Oak Blvd., Tallahassee, Florida 32399 one year in advance of the expiration of the equipment's posted shelf-life or normal life expectancy or when it has been expended. The sub-recipient shall notify the FDEM immediately if the equipment is destroyed, lost, or stolen.

The sub-recipient shall not transfer, rent, sell, lease, alienate, donate, mortgage, encumber or otherwise dispose of the eligible equipment without the prior written consent of the FDEM.

D. Procurement

All procurement transactions will be conducted in a manner providing full and open competition and shall comply with the standards articulated in:

- 2 C.F.R. Part 200;
- Chapter 287, Florida Statutes; and,
- any local procurement policy.

To the extent that one standard is more stringent than another, the sub-sub-recipient must follow the more stringent standard. For example, if a State statute imposes a stricter requirement than a Federal regulation, then the sub-sub-recipient must adhere to the requirements of the State statute.

The Division shall pre-approve all scopes of work for projects funded under this agreement. Additionally, the sub-sub-recipient shall not execute a piggy-back contract unless the Division has approved the scope of work contained in the original contract that forms the basis for the piggy-back contract. Also, in order to receive reimbursement from the Division, the sub-sub-recipient must provide the Division with a suspension and debarment form for each vendor that performed work under the agreement. Furthermore, if requested by the Division, the sub-sub-recipient shall provide copies of solicitation documents including responses and justification of vendor selection.

E. Piggy-backing

The practice of procurement by one agency using the agreement of another agency is called piggybacking. The ability to piggyback onto an existing contract is not unlimited. The existing contract must contain language or other legal authority authorizing third parties to make purchases from the contract with the vendor's consent. The terms and conditions of the new contract, including the scope of work, must be substantially the same as those of the existing contract. The piggyback contract may not exceed the existing contract in scope or volume of goods or services. An agency may not use the preexisting contract merely as a "basis to begin negotiations" for a broader or materially different contract.

Section 215.971, Florida Statutes

Statutory changes enacted by the Legislature impose additional requirements on grant and sub-sub-recipient agreements funded with Federal or State financial assistance. In pertinent part, Section 215.97(1) states:

- An agency agreement that provides state financial assistance to a sub-recipient or sub-sub-recipient, as those terms are defined in s. 215.97, or that

provides federal financial assistance to a sub-sub-recipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

- A provision specifying a scope of work that clearly establishes the tasks that the sub-recipient or sub-sub-recipient is required to perform.
- A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.
- A provision specifying the financial consequences that apply if the sub-recipient or sub-sub-recipient fails to perform the minimum level of service required by the agreement. The provision can be excluded from the agreement only if financial consequences are prohibited by the federal agency awarding the grant. Funds refunded to a state agency from a sub-recipient or sub-sub-recipient for failure to perform as required under the agreement may be expended only in direct support of the program from which the agreement originated.
- A provision specifying that a sub-recipient or sub-sub-recipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.
- A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency.
- A provision specifying that any funds paid in excess of the amount to which the sub-recipient or sub-sub-recipient is entitled under the terms and conditions of the agreement must be refunded to the state agency.
- Any additional information required pursuant to s. 215.97.

F. Overtime and Backfill

The entire amount of overtime costs, including payments related to backfilling personnel, which are the direct result of time spent on the design, development, and conduct of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities. Requests for overtime or backfill must be reduced by the number of hours of leave taken in the pay period. For the purposes of this agreement, leave and pay period are defined according to the Fair Labor Standards Act (FLSA).

Failure to comply

Failure to comply with any of the provisions outlined above shall result in disallowance of reimbursement for expenditures.

Unallowable Costs (SHSP, UASI and OPSG)

Per FEMA policy, the purchase of weapons and weapons accessories is not allowed with HSGP.

G. Reporting Requirements

1. Quarterly Programmatic Reporting:

The Quarterly Programmatic Report is due within thirty (30) days after the end of the reporting periods (March 31, June 30, September 30 and December 31) for the life of this contract.

- If a report(s) is delinquent, future financial reimbursements will be withheld until the Sub-recipient's reporting is current.
- If a report goes two (2) consecutive quarters without Sub-recipient reflecting any activity and/or no expenditures will likely result in termination of the agreement.

Programmatic Reporting Schedule

Reporting Period	Report due to FDEM no later than
January 1 through March 31	April 30
April 1 through June 30	July 31
July 1 through September 30	October 31
October 1 through December 31	January 31

2. Programmatic Reporting-BSIR

Biannual Strategic Implementation Report:

After the end of each reporting period, for the life of the contract unless directed otherwise, the SAA, will complete the Biannual Strategic Implementation Report in the Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov>. The reporting periods are January 1-June 30 and July 1-December 31. Data entry is scheduled for December 1 and June 1 respectively. Future awards and reimbursement may be withheld if these reports are delinquent.

3. Reimbursement Requests:

A request for reimbursement may be sent to your grant manager for review and approval at any time during the contract period. Reimbursements must be requested within ninety (90) calendar days of expenditure of funds, and quarterly at a minimum. Failure to submit request for reimbursement within ninety (90) calendars of expenditure shall result in denial of reimbursement. The Sub-recipient should include the category's corresponding line item number in the "Detail of Claims" form. This number can be found in the "Proposed Program Budget". A line item number is to be included for every dollar amount listed in the "Detail of Claims" form.

4. Close-out Programmatic Reporting:

The Close-out Report is due to the Florida Division of Emergency Management no later than sixty (60) calendar days after the agreement is either completed or the agreement has expired.

H. Programmatic Point of Contact

Contractual Point of Contact	Programmatic Point of Contact
Michael J. Day FDEM 2555 Shumard Oak Blvd. Tallahassee, FL 32399-2100 (850) 815-4346 Michael.Day@em.myflorida.com	Felicia Pinnock FDEM 2555 Shumard Oak Blvd. Tallahassee, FL 32399-2100 (850) 815-4343 Felicia.Pinnock@em.myflorida.com

I. Contractual Responsibilities

- The FDEM shall determine eligibility of projects and approve changes in scope of work.
- The FDEM shall administer the financial processes.

1st Revised

ATTACHMENT C

DELIVERABLES AND PERFORMANCE

State Homeland Security Program (SHSP): SHSP supports the implementation of risk driven, capabilities-based State Homeland Security Strategies to address capability targets set in Urban Area, State, and regional Threat and Hazard Identification and Risk Assessments (THIRAs). The capability levels are assessed in the State Preparedness Report (SPR) and inform planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

Planning Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-recipient for the actual cost of successfully completing Planning activities consistent with the guidelines contained in the Comprehensive Planning Guide CPG 101 v.2. For additional information, please see http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf or grant guidance (Notice of Funding Opportunity).

For the purposes of this Agreement, any planning activity such as those associated with the Threat and Hazard identification and Risk Analysis (THIRA), State Preparedness Report (SPR), and other planning activities that support the National Preparedness Goal (NPG) and place an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) are eligible. The Sub-recipient can successfully complete a planning activity either by creating or updating such plan(s).

Training Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-recipient for the actual cost of successfully completing a training course listed on the Department of Homeland Security (DHS) approved course catalog. For non-DHS approved courses the sub-recipient shall obtain advance FDEM approval using the Non-TED form by contacting their grant manager. The DHS course catalog is available online at: <http://training.fema.gov/>. For the purposes of this Agreement, any training course listed on the DHS approved course catalog qualifies as an authorized course. The Sub-recipient can successfully complete an authorized course either by attending or conducting that course.

Organization Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-recipient for the actual eligible costs for Personnel, Intelligence Analysts, Overtime and Operational Overtime.

Equipment Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-recipient for the actual cost of purchasing an item identified in the approved project funding template and budget of this agreement and listed on the DHS Authorized Equipment List (AEL). For the purposes of this Agreement, any item listed on the AEL qualifies as an authorized item. The 21 allowable prevention, protection, mitigation, response, and recovery equipment categories and equipment standards for HSGP are listed on the web-based version of the Authorized Equipment List (AEL) on the Lessons Learned Information System at <http://www.fema.gov/authorized-equipment-list>. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Costs for allowable items will be reimbursed if incurred and completed within the period of performance, in accordance with the Scope of Work, Attachment B of this agreement.

**MODIFICATION #2 TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND PALM BEACH COUNTY
SHERIFF'S OFFICE**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the Palm Beach County Sheriff's Office ("Recipient"), to modify Contract Number 17-DS-V4-11-60-01-231, which began on September 15, 2016 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the State Homeland Security Grant program of \$239,384.00;

WHEREAS, the Agreement will expire on December 31, 2017; and,

WHEREAS, the Division and the Recipient desire to extend the terms of the Agreement; and

WHEREAS, the Division and the Recipient desire to modify the Agreement; and,

WHEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. Paragraph 8 of the Agreement is hereby amended to read as follows:

This Agreement shall begin upon execution by both parties and shall end on June 30, 2018, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement. Consistent with the definition of "period of performance" contained in 2 C.F.R. §200.77, the term "period of agreement" refers to the time during which the Sub-Recipient "may incur new obligations to carry out the work authorized under" this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for "allowable costs incurred during the period of performance." In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement "only for allowable costs resulting from obligations incurred during" the period of agreement.

2. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: PALM BEACH COUNTY SHERIFF'S OFFICE

By: _____

Name and Title: Ric L. Bradshaw, Sheriff

Date: 10/23/17

DIVISION OF EMERGENCY MANAGEMENT

By: Michael Kennett, Deputy Director

Name and Title: Michael Kennett, Deputy Director

Date: Nov 17

Agenda Item No. **3CC-2**
SA WPB 40
PT, HU SV Abr

SA IPB 40
PT, HU SV abr

R-2016-1611

[] Public Hearing

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) Accept on behalf of the Palm Beach County Sheriff's Office, a Federally-Funded Subgrant Agreement for a FY16 State Homeland Security Grant in the amount of \$239,384, for the period of September 15, 2016 through December 31, 2017; and **B) Approve** a budget amendment in the amount of \$239,384 in the Sheriff's Grant Fund.

Summary: On September 15, 2016, the Palm Beach County Sheriff's Office (PBSO) received a FY16 State Homeland Security Grant award from the State of Florida, Division of Emergency Management. These funds will be used for intelligence and information sharing initiatives. There is no match associated with this award. Countywide (LDC)

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 Contract number is 17-DS-V4-11-60-01-231.

Attachments:

1. Budget Amendment
2. Federally-Funded Subgrant Agreement

RECOMMENDED BY:

DEPARTMENT DIRECTOR

10-27-16
DATE

APPROVED BY:

COUNTY ADMINISTRATOR

DATE _____

10/31/16

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0				
Operating Costs	\$239,384				
External Revenues	(\$239,384)				
Program Income					
(County)					
In-Kind Match (County)	0				
Net Fiscal Impact	0				
# Additional FTE					
Positions	0				
(Cumulative)					

Is Item Included in Current Budget: YES _____ NO X

Budget Account No.: Fund 1152 Agency 160 Org 2303 Object 3129

Reporting Category _____

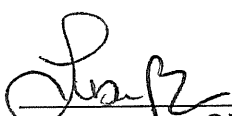
B. Recommended Sources of Funds / Summary of Fiscal Impact:

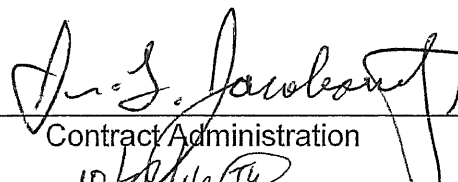
The FY16 State Homeland Security Grant Program is funded by the State of Florida, Department of Emergency Management. There is no match associated with this award.

FY16 State Homeland Security Grant	<u>\$239,384</u>
Total Program Budget	<u>\$239,384</u>


III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:


OFMB 10/28/16
AK 10/28/16


Contract Administration 10/28/16
10/28/16

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

Department Director

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