

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: February 2, 2021	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:		
Submitted By:	<u>Palm Beach County Sheriff's Office</u>	
Submitted For:	<u>Palm Beach County Sheriff's Office</u>	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: (A) **Accept** on behalf of the Palm Beach County Sheriff's Office a Department of Justice, Office of Justice Programs FY2020 Prosecuting Cold Cases using DNA grant award in the amount of \$470,000 for the period of October 1, 2020 through September 30, 2023; (B) **Approve** a budget amendment of \$470,000 in the Sheriff's Grants Fund.



Summary: On October 1, 2020, the Palm Beach County Sheriff's Office (PBSO) received a Federal grant award in the amount of \$470,000 to **increase** the number of violent crime cold case prosecutions and simultaneously **decrease** the number of unresolved violent crime Cold Cases awaiting prosecution through the strategic, coordinated use of DNA and other forensic technologies. Funding will be used to support contractual services, investigative costs, travel, and supplies. There is no match requirement associated with this award. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.036 and the contract number is 2020-DN-BX-0155. Countywide (LDC)

Background and Justification: The Prosecuting Cold Cases Using DNA program provides funding to support agencies in the resolution of violent crime cold cases. BJA's Prosecuting Cold Cases Using DNA program is aimed at providing resources for agencies to prosecute cases where a suspect's DNA has been identified, decreasing the number of unresolved violent crime cold cases. Awards under this solicitation are made under statutory authority provided by Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat. 2317, 2408; section 2(b) of the Justice Served Act of 2018, Public L. No. 115-257, 132 Stat. 3660.

Attachments:

- 1. Budget Amendment
- 2. Award Letter

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RECOMMENDED BY:		1/5/2021
	DEPARTMENT DIRECTOR	DATE
APPROVED BY:		1/19/21
	COUNTY ADMINISTRATOR	DATE

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	0				
Operating Costs	\$470,000				
External Revenues	(\$470,000)				
Program Income					
(County)					
In-Kind Match (County)					
Net Fiscal Impact	\$0				
# Additional FTE					
Positions					
(Cumulative)					
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 2390	Object 3129	
Reporting Category					

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

Palm Beach County's Prosecuting Cold Cases using DNA is funded by the Department of Justice, Office of Justice Programs FY2020 Prosecuting Cold Cases using DNA program. There is no required match. No additional County funds are required.

PBC's Prosecuting Cold Cases using DNA FY20 Grant	\$ 470,000
Total Program Budget	\$ 470,000

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

Chris Martin 1/10/21
OFMB BR 1/11
LM 1/11

Ann S. Jaworski 1/14/21
Contract Administration
1-14-21 TW

B. Legal Sufficiency:

ADG
Assistant County Attorney

C. Other Department Review:

Department Director

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

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1152 - Sheriff's Grants Fund

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

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
Revenues								
<u>Prosecuting Cold Cases Using DNA-FY20</u>								
160-2390-3129	Federal Grant - Other Public Safety	0	0	470,000	0	470,000		
<u>TOTAL REVENUES</u>		10,807,823	<u>\$11,786,637</u>	<u>\$470,000</u>	<u>\$0</u>	<u>12,256,637</u>		
Expenditures								
<u>Prosecuting Cold Cases Using DNA-FY20</u>								
160-2390-9498	Transfer to Sheriff's Fund 1902	0	0	470,000	0	470,000		
<u>TOTAL EXPENDITURES</u>		10,807,823	<u>\$11,786,637</u>	<u>\$470,000</u>	<u>\$0</u>	<u>12,256,637</u>		

Palm Beach County Sheriff's Office	Signatures	Date	By Board of County Commissioners At Meeting of February 2, 2021
INITIATING DEPARTMENT/DIVISION	_____	_____	Deputy Clerk to the Board of County Commissioners
Administration/Budget Department Approval	_____	_____	
OFMB Department - Posted	_____	_____	



Department of Justice (DOJ)
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

Sheriff Ric Bradshaw
Palm Beach Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406-3001

Dear Sheriff Bradshaw:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by Palm Beach Sheriff's Office for an award under the OJP funding opportunity entitled "BJA FY 20 Prosecuting Cold Cases Using DNA." The approved award amount is \$470,000. These funds are for the project entitled Palm Beach County's Prosecuting Cold Cases Using DNA Collaborative Strategy.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should Palm Beach Sheriff's Office accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Monte Evans, Program Manager at (202) 307-5822; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Sullivan", is written over a horizontal line.

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

Washington, DC 20531

Sheriff Ric L. Bradshaw
Palm Beach Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406-3001

Dear Sheriff Bradshaw:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.


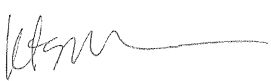

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.


Sincerely,

A handwritten signature in black ink, reading "Michael L. Alston".

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

 <div>Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance</div>	Grant	PAGE 1 OF 18																
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Palm Beach Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406-3001	4. AWARD NUMBER: 2020-DN-BX-0155																	
	5. PROJECT PERIOD: FROM 10/01/2020 TO 09/30/2023 BUDGET PERIOD: FROM 10/01/2020 TO 09/30/2023																	
	6. AWARD DATE	7. ACTION Initial																
2a. GRANTEE IRS/VENDOR NO. 596000786	8. SUPPLEMENT NUMBER 00																	
2b. GRANTEE DUNS NO. 182809921	9. PREVIOUS AWARD AMOUNT \$ 0																	
3. PROJECT TITLE Palm Beach County's Prosecuting Cold Cases Using DNA Collaborative Strategy	10. AMOUNT OF THIS AWARD \$ 470,000																	
	11. TOTAL AWARD \$ 470,000																	
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 FY20(BJA - Prosecuting Cold Cases) Pub. L. No. 116-93, 133 Stat 2317, 2408; section 2(b) of the Justice Served Act of 2018, Pub. L. 115-257, 132 Stat. 3660																		
14 . CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.036 - Prosecuting Cold Cases Using DNA																		
15. METHOD OF PAYMENT GPRS																		
<div>AGENCY APPROVAL</div> <div>GRANTEE ACCEPTANCE</div>																		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Ric L. Bradshaw Sheriff																	
17. SIGNATURE OF APPROVING OFFICIAL 	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 11/17/2020																
<div>AGENCY USE ONLY</div>																		
20. ACCOUNTING CLASSIFICATION CODES <table><tr><td>FISCAL YEAR</td><td>FUND CODE</td><td>BUD. ACT.</td><td>OFC.</td><td>DIV. REG.</td><td>SUB.</td><td>POMS</td><td>AMOUNT</td></tr><tr><td>X</td><td>B</td><td>DN</td><td>80</td><td>00</td><td>00</td><td></td><td>470000</td></tr></table>		FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT	X	B	DN	80	00	00		470000	21. VDNUGT4013
FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT											
X	B	DN	80	00	00		470000											

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>1. Requirements of the award; remedies for non-compliance or for materially false statements</p> <p>The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.</p> <p>Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.</p> <p>By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.</p> <p>Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.</p> <p>Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).</p> <p>Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.</p>			



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

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SPECIAL CONDITIONS

2. 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 DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), 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 FY 2020 award.

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

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

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.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



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SPECIAL CONDITIONS

5. 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, 2018, 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, 2018, 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 <https://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.


6. 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.


7. 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 the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.


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<div><i>SPECIAL CONDITIONS</i></div> <div>8. Requirements related to System for Award Management and Universal Identifier Requirements</div> <div>The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov/. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.</div> <div>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.</div> <div>The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at https://ojp.gov/funding/Explore/SAM.htm (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.</div> <div>This 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).</div>		


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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>9. Employment eligibility verification for hiring under the award</p> <p>1. The recipient (and any subrecipient at any tier) must--</p> <p>A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).</p> <p>B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--</p> <p>(1) this award requirement for verification of employment eligibility, and</p> <p>(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.</p> <p>C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).</p> <p>D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.</p> <p>2. Monitoring</p> <p>The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.</p> <p>3. Allowable costs</p> <p>To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.</p> <p>4. Rules of construction</p> <p>A. Staff involved in the hiring process</p> <p>For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.</p> <p>B. Employment eligibility confirmation with E-Verify</p> <p>For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.</p> <p>C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.</p> <p>D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or</p>			


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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.</p> <p>E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).</p> <p>Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (https://www.e-verify.gov/) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.</p> <p>Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.</p> <p>10. Requirement to report actual or imminent breach of personally identifiable information (PII)</p> <p>The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.</p> <p>11. All subawards ("subgrants") must have specific federal authorization</p> <p>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").</p> <p>The details of the requirement for authorization of any subaward are posted on the OJP web site at https://ojp.gov/funding/Explore/SubawardAuthorization.htm (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.</p> <p>12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000</p> <p>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, \$250,000). 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).</p> <p>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 https://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 \$250,000)), and are incorporated by reference here.</p>			


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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>13. Unreasonable restrictions on competition under the award; association with federal government</p> <p>SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).</p> <p>1. No discrimination, in procurement transactions, against associates of the federal government</p> <p>Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.</p> <p>2. Monitoring</p> <p>The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.</p> <p>3. Allowable costs</p> <p>To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.</p> <p>4. Rules of construction</p> <p>A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.</p> <p>B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.</p>			


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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)</p> <p>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.</p> <p>The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at https://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.</p> <p>15. Determination of suitability to interact with participating minors</p> <p>SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.</p> <p>The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.</p> <p>The details of this requirement are posted on the OJP web site at https://ojp.gov/funding/Explore/Interact-Minors.htm (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.</p> <p>16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events</p> <p>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.</p> <p>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 "DOJ Grants Financial Guide").</p> <p>17. Requirement for data on performance and effectiveness under the award</p> <p>The recipient must collect and maintain data that measure the performance and effectiveness of work 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 of 2010, and other applicable laws.</p> <p>18. OJP Training Guiding Principles</p> <p>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 https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm.</p>			

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<div>SPECIAL CONDITIONS</div> <div>19. Effect of failure to address audit issues</div> <div>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.</div> <div>20. Potential imposition of additional requirements</div> <div>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.</div> <div>21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42</div> <div>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.</div> <div>22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54</div> <div>The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."</div> <div>23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38</div> <div>The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.</div> <div>Currently, 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, currently, 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.</div> <div>The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at https://www.ecfr.gov/cgi-bin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.</div>		

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>24. Restrictions on "lobbying"</p> <p>In general, as a matter of federal law, federal funds awarded by OJP 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. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)</p> <p>Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.</p> <p>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 these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.</p> <p>25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) 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 that may be set out in applicable appropriations acts are indicated at https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.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.</p> <p>26. Reporting potential fraud, waste, and abuse, and similar misconduct</p> <p>The recipient, and any subrecipients ("subgrantees") at any tier, 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.</p> <p>Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at https://oig.justice.gov/hotline/contact-grants.htm (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).</p> <p>Additional information is available from the DOJ OIG website at https://oig.justice.gov/hotline.</p>		

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>27. Restrictions and certifications regarding non-disclosure agreements and related matters</p> <p>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.</p> <p>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.</p> <p>1. In accepting this award, the recipient--</p> <p>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</p> <p>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.</p> <p>2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--</p> <p>a. it represents that--</p> <p>(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</p> <p>(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and</p> <p>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.</p>			

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)</p> <p>The recipient (and any subrecipient at any tier) 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.</p> <p>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.</p> <p>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.</p> <p>29. Encouragement of policies to ban text messaging while driving</p> <p>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.</p> <p>30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ</p> <p>If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.</p>			

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>31. (a) Accreditation and Privacy Requirements; Databases; No Research</p> <p>The recipient shall ensure that each DNA analysis conducted under this award will be performed either-- (1) by accredited government-owned laboratories, or (2) through an accredited fee-for-service vendor. The accreditation must be by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community. The laboratory must undergo external audits not less than once every 2 years that demonstrate compliance with the DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.</p> <p>The recipient shall maintain each DNA analysis conducted under this award, and each stored DNA sample that results from this award, in accordance with the privacy requirements and restrictions on disclosure described in 42 U.S.C. section 14132(b)(3).</p> <p>The recipient agrees to notify BJA promptly upon any change in the accreditation status of any of its forensic science laboratories, if applicable.</p> <p>The recipient shall ensure that all eligible forensic DNA profiles obtained with funding under this award will be entered into the Combined DNA Index System (CODIS), and, where applicable, uploaded to the National DNA Index System (NDIS).</p> <p>The recipient must enter all "criteria cases" into the Violent Criminal Apprehension Program (ViCAP) by the end of the grant period, and all applicable cases into the National Missing and Unidentified Persons System (NamUs).</p> <p>The recipient shall ensure that none of the funds provided under this award are used for research or statistical projects or activities as defined by 28 C.F.R. Part 22, or for research as defined by 28 C.F.R. Part 46. Any questions concerning this provision should be directed to the BJA program manager for the award.</p> <p>(b) Nonsupplanting of State or Local Funds</p> <p>The recipient shall ensure that federal funds made available through this award will not supplant State or local government funds, but instead will be used to increase the amount of funds that would, in the absence of federal funds, be available from State or local government sources for activities funded through this award.</p> <p>The recipient agrees to notify BJA promptly if the recipient receives new State or local government funding for any of the purposes included in the approved application for this award.</p> <p>(c) Evaluations</p> <p>The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.</p> <p>32. The recipient shall submit a report within 90 days of the end of the award period that, at a minimum-- (1) includes a summary and assessment of the program carried out with the funds made available under this Fiscal Year 2020 award, and (2) cites the number of additional "violent crime cold cases" reviewed for DNA evidence, the number of such cases in which biological evidence still existed, the number subjected to DNA analysis, the number that yielded viable DNA profiles, the number of resulting profiles entered into CODIS, and the number of CODIS hits as a result of this Fiscal Year 2020 award. The recipient shall ensure that all data and information necessary for the report are collected throughout the award period. The report must be submitted to the Office of Justice Programs, on-line through https://grants.ojp.usdoj.gov/.</p>		



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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 <https://www.gsa.gov/forms-library/federal-financial-report>), 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 award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.
36. Confidentiality of data
- The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.
37. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2020-DN-BX-0155 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.
38. The recipient shall transmit to the BJA grant manager copies of all official award-related press releases at least ten (10) working days prior to public release. Advance notice permits time for coordination of release of information by BJA where appropriate and to respond to press or public inquiries.
39. 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.
40. Pursuant to 28 C.F.R. Part 18, OJP may suspend or terminate funding under this award before the completion of the project funded by this award, for the recipient's failure to comply with these special conditions or with the project's goals, plans and methodology set forth in the approved application. In the case of suspension, the recipient will be unable to draw down funds until OJP determines that the recipient is in compliance.

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>41. Copyright; Data rights</p> <p>The recipient acknowledges that 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 (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.</p> <p>The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such 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).</p> <p>It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.</p> <p>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.</p>			

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>42. Patents and Inventions.</p> <p>The clauses at 37 C.F.R. section 401.14 (together, the "Patents Rights Clause") are incorporated by reference, with the following modifications.</p> <p>(1) Where italicized, the terms "contract," "contractor," and "contracting officer" are replaced, respectively, by the terms "award," "award recipient," and "OJP program manager";</p> <p>(2) Patent Rights Clause paragraph (f) is modified by adding the following at the end:</p> <p>"(5) The award recipient agrees to provide a report prior to the close out of the award listing all subject inventions or stating that there were none.</p> <p>(6) The award recipient agrees to provide, upon request, the filing date, patent application number and title; a copy of the patent application; and patent number and issue date for any subject invention in any country in which the award recipient has applied for a patent.";</p> <p>(3) Patent Rights Clause paragraph (g) is modified to read as follows:</p> <p>"(g) Subawards and Subcontracts</p> <p>"The award recipient will include this Patent Rights Clause, suitably modified to identify the parties, in all subawards and subcontracts, regardless of tier, for experimental, developmental, or research work. The subaward recipient or subcontractor will retain all rights provided for the award recipient in this clause, and the award recipient will not, as a part of the consideration for awarding the subaward or subcontract, obtain rights in the subaward recipient's or subcontractor's subject inventions."; and</p> <p>(4) Patent Rights Clause paragraph (l) is modified to read as follows:</p> <p>"(l) Communications</p> <p>"Communications on matters relating to this Patent Rights Clause should be directed to the General Counsel, Office of Justice Programs, United States Department of Justice."</p> <p>With respect to any subject invention in which the award recipient, or a subaward recipient or subcontractor, retains title, the Federal government shall have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world.</p> <p>43. Justification of consultant rate</p> <p>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 OJP program office prior to obligation or expenditure of such funds.</p> <p>44. 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.)</p> <p>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.</p>			

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<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>45. FFATA reporting: Subawards and executive compensation</p> <p>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 https://ojp.gov/funding/Explore/FFATA.htm (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.</p> <p>This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) 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).</p> <p>46. 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.</p> <p>47. Unless otherwise authorized by BJA in writing, expenses charged to this award must directly relate to: (a) identification, review, and prioritization of Uniform Crime Report (UCR), Part 1 Violent Crime "cold cases" where a suspect has been identified through DNA analysis; (b) identification, collection, retrieval, or evaluation of biological evidence from such cases that may reasonably be expected to contain DNA; or (c) performance of DNA analyses on such biological evidence, including the handling or screening of this evidence.</p> <p>Funds provided under this award shall not be used for:</p> <p>(a) Cases where a suspect has not been identified through DNA evidence; or</p> <p>(b) Cases that were deemed "inactive" or closed by the agency for any reason before DNA analysis was performed on any physical evidence from the offense; or</p> <p>(c) Performance of DNA analysis if a sexual assault kit or any other evidence exists and was not analyzed.</p> <p>An exception to condition (b) may be permitted in very limited instances, where a new piece of evidence is found, or new case information arises, or a new DNA technology will be used. A detailed, written justification from the recipient, as well as written approval from the program office, are required prior to any activity or expenditures in such cases.</p> <p>48. The recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.</p> <p>Environmental Assessment (EA): The activities the recipient has proposed to conduct under this award fall within the scope of a BJA Programmatic EA that complies with the National Environmental Policy Act (NEPA). These activities have been determined not to have a significant impact on the quality of the human environment.</p> <p>Modifications: Throughout the term of this award, the recipient agrees that for any activity that is the subject of a completed EA, it will inform BJA of-- (1) any change(s) that it is considering making to the previously assessed activity that may be relevant to environmental impact; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient will not implement a proposed change or new activity until BJA, with the assistance of the recipient, has determined whether the proposed change or new activity (or changed circumstances) will require additional review under NEPA. Approval for implementation will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under a BJA-conducted environmental impact review process.</p>		



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File


From: Orbin Terry, Program Analyst

Subject: Environmental Assessment for Palm Beach Sheriff's Office

The recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Environmental Assessment (EA): The activities the recipient has proposed to conduct under this award fall within the scope of a BJA Programmatic EA that complies with the National Environmental Policy Act (NEPA). These activities have been determined not to have a significant impact on the quality of the human environment.

Modifications: Throughout the term of this award, the recipient agrees that for any activity that is the subject of a completed EA, it will inform BJA of-- (1) any change(s) that it is considering making to the previously assessed activity that may be relevant to environmental impact; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient will not implement a proposed change or new activity until BJA, with the assistance of the recipient, has determined whether the proposed change or new activity (or changed circumstances) will require additional review under NEPA. Approval for implementation will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under a BJA-conducted environmental impact review process.

 <div>Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance</div>	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY	
	Grant	
	PROJECT NUMBER 2020-DN-BX-0155	PAGE 1 OF 1
This project is supported under FY20(BJA - Prosecuting Cold Cases) Pub. L. No. 116-93, 133 Stat 2317, 2408; section 2(b) of the Justice Served Act of 2018, Pub. L. 115-257, 132 Stat. 3660		
1. STAFF CONTACT (Name & telephone number). Monte Evans (202) 307-5822	2. PROJECT DIRECTOR (Name, address & telephone number) Gena A. Rowlands Planner 3228 Gun Club Road West Palm Beach, FL 33406 (561) 688-3096	
3a. TITLE OF THE PROGRAM BJA FY 20 Prosecuting Cold Cases Using DNA		3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
4. TITLE OF PROJECT Palm Beach County's Prosecuting Cold Cases Using DNA Collaborative Strategy		
5. NAME & ADDRESS OF GRANTEE Palm Beach Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406-3001	6. NAME & ADRESS OF SUBGRANTEE	
7. PROGRAM PERIOD FROM: 10/01/2020 TO: 09/30/2023	8. BUDGET PERIOD FROM: 10/01/2020 TO: 09/30/2023	
9. AMOUNT OF AWARD \$ 470,000	10. DATE OF AWARD	
11. SECOND YEAR'S BUDGET	12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) The Prosecuting Cold Cases Using DNA program provides funds to support the prosecution of violent crime cold cases, where DNA from a suspect has been identified (suspect(s) may be known or unknown). Provided that DNA attributed to a known or unknown suspect has been identified, funding support includes investigative activities and crime and forensic analyses that could lead to prosecuting violent crime cold cases, and decreasing the number of violent crime cold cases awaiting prosecution. The primary objectives are: 1) Prosecution of cold cases involving violent crime where suspects have been identified through DNA evidence; and 2) Decreasing the number of cold case violent crimes where suspect DNA has been identified. The following activities are permissible as secondary objectives. All secondary objective activities must directly relate to cases where suspect DNA has been identified which include: 1) Increasing the capacity for state and local prosecution offices to address cold cases involving violent crime; and 2) Identifying, locating, collecting, processing, and analyzing evidence, including non-DNA evidence, to		

assist prosecutors with the litigation of violent crime cold cases where suspect DNA has been identified.

The recipient will utilize grant funds to support prosecution and case resolution, including case reviews, investigations, crime analysis, and evidence analysis for cold cases wherein DNA has led to the identification of a suspect and prosecution is pending and/or DNA has been identified but the identity of the suspect is currently unknown, and the cases have: (1) the potential to be solved and/or prosecuted through the application of forensic techniques and/or technology; or (2) have the potential to be solved and/or prosecuted through newly acquired information or advanced technology to analyze evidence.

CA/NCF

Project Title: FY 2018 DNA Capacity Enhancement and Backlog Reduction Program
DUNS: _____
TIN: _____

Project Start Date: 1/1/19

Project End Date 3/31/21

Managing Office: OJP

Program Office: BJA

Grant Manager: Christine Torres

Grant Award Administrator: sikorskyj@pbso.org

Project Period Extension

> Project Period Extension Start Date

Number of Months to extend Project Period

Extension End Date

3

Current Project Period

Current Start Date	Current Completion Date
01/01/2019	12/31/2020

Requested Project Period

Project Period Start Date	Project Period End Date
01/01/2019	03/31/2021

Total Period of Performance with Requested

Grants Management Comments

Create Date	User	Note
11/16/20 12:27 PM	Christine Torres	Grantee has provided the requested documentation to extend the award to 3/31/2021. The request is approved.