



BOARD OF COUNTY COMMISSIONERS

DATE: September 10, 2015

AGENDA ITEM NO. 10

Consent Agenda ☒

Regular Agenda ☐

Public Hearing ☐

County Administrator's Signature: 

Subject:

Ratification of Certificate of Participation for the Edward Byrne Memorial Justice Assistance Grant Program

Department:

Justice and Consumer Services

Staff Member Responsible:

Michael Cooksey, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) RATIFY THE APPROVAL AND ACCEPTANCE OF THE CERTIFICATE OF PARTICIPATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.

Summary Explanation/Background:

The purpose of this document is to inform the Florida Department of Law Enforcement (FDLE) that the Board accepts the invitation to serve as the coordinating unit of government for the County's JAG Program. Furthermore, the Board designates Justice and Consumer Services to coordinate and prepare applications for grant funds. Applications are received by Justice and Consumer Services, reviewed by the Substance Abuse Advisory Board, and final recommendations are presented to the Board for approval.

The JAG funds provide financial assistance to implement projects that offer a high probability of preventing and controlling crime and improving the criminal justice system. Agencies and organizations receiving funds have the flexibility to implement projects in any of the seven federally approved purpose areas:

1. Law enforcement programs
2. Prosecution and court programs
3. Prevention and education programs
4. Corrections and community corrections programs
5. Drug treatment and enforcement programs
6. Planning, evaluation, and technology improvement programs
7. Crime victim and witness programs

In Fiscal Year (FY) 2015, awards were distributed for the following programs:

1. Pinellas County Sheriff's Office – Sexual Predator and Offender Tracking Unit
2. Suncoast Center – Jail Diversion Expansion
3. Family Resources – Community Placement Intake Service
4. More Health – Firearm Safety and Education
5. Westcare Gulfcoast – Mustard Seed Inn
6. Alpha House – Child Abuse Prevention and Education
7. PACE Center for Girls – Spirited Girls!
8. Indian Shores Police Department – Tasers

To accommodate FDLE's Application Timeline, it was necessary for the Chairman to approve and accept the JAG Certificate of Participation. The Certificate is now before the Board for ratification.

Fiscal Impact/Cost/Revenue Summary:

FDLE has allocated \$259,908.00 for the County's FY 2016 JAG Program. These funds are budgeted with Justice and Consumer Services.

Exhibits/Attachments Attached:

Contract Review Transmittal Slip
FDLE JAG Letter dated July 16, 2015
FDLE Certificate of Participation
FDLE JAG Program Announcement

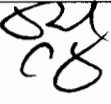

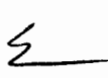


NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP

PROJECT: Certificate of Participation for JAG Program	
CONTRACT NO.: N/A	ESTIMATED EXPENDITURE / REVENUE: \$259,908 (Circle or underline appropriate choice above.)

In accordance with Contract Administration and its Review Process, the attached documents are submitted for your review and comment. Please complete this Non-Purchasing Contract Review Transmittal Slip below with your assessment, and **forward to the next Review Authority on the list, skipping any authority marked "N/A."** Indicate suggested changes by noting those in "Comments" column, or by revising, in RED, the appropriate section(s) of the document(s) to reflect the exact wording of the desired change(s).

OTHER SPECIFICS RELATING TO THE CONTRACT:

The purpose of this document is to inform the Florida Department of Law Enforcement (FDLE) that the Board accepts the invitation to serve as the coordinating unit of government for Pinellas County's JAG Program. Furthermore, the Board designates the Department of Justice and Consumer Services to coordinate and prepare applications for grant funds. Applications are received by the Department of Justice and Consumer Services, reviewed by the Substance Abuse Advisory Board, and final recommendations are presented to the Board for approval.

REVIEW SEQUENCE	DATE	INITIAL/ SIGNATURE	COMMENTS (IF ANY)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
Originator: Michael Cooksey, Director, Justice and Consumer Services	7/28/15			
Finance:** Cassandra Williams	7/30/15			
OMB:** Bill Berger	8/5/15	 ^{JD}	See attached.	
Risk Mgmt: Virginia Holscher		N/A		
Legal: Carl Brody	8/5/15			
Assistant County Administrator: John Bennett	8/10/15		SEE NOTES	EF 8/12/15

Please return to Justice and Consumer Services By August 7, 2015.
All inquiries should be made to Emily Fasnacht ext. 37437.

** See Contract Review Process

OMB Contract Review

Contract Name(s)	Edward Byrne Memorial Justice Assistance Countywide Grant Service Funding Agreement <i>- Certificate of Participation</i>		
CATS#	47766	Contract #	n/a

Mark all Applicable Boxes:

Type of Contract									
CIP		Grant		Other	X	Revenue		Project	

Contract information:

New Contract (Y/N)	Y	Original Contract Amount	\$259,908
Fund(s)	0001	Amount of Change	-0-
Cost Center(s)	311112	Contract Amount	\$259,908
Program(s)	1712	Amount Available	Total: \$259,908
Account(s)	5340001	Included in Applicable Budget? (Y/N)	Y – FY16 Budget
Project(s)	n/a		
Fiscal Year(s)	FY16	Required \$ Match (grants)	n/a

Description & Comments

(What is it, any issues found, is there a financial impact to current/next FY, does this contract vary from previous FY, etc.)

The Florida Department of Law Enforcement (FDLE) allocated \$259,908 in Justice Assistance Grant (JAG) funds for Pinellas County in FY16. The purpose of this Grant is to reduce crime and improve public safety via. The Substance Abuse Advisory Board (SAAB) will determine the final allocation and distribution of this grant amongst applicants; JCS is the administrator of funds.

This CATS items is for the approval to participate in the application process. Execution of this document will occur after the project has been officially awarded.

Upon receipt of the award and execution, this grant will begin October 1, 2015, and end September 30, 2016. There are no match funds associated with this grant.

Analyst: Fredricka Jones 07/29/2015 *F. Jones*

Ok to Sign: ☒

CERTIFICATE OF PARTICIPATION

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Date: 7/24/15

Ms. Petrina T. Herring
Administrator
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, Florida 32308

Dear Ms. Herring:

This is to inform you that the Board of County Commissioners Accepts X Declines _____ the invitation to serve as the coordinating unit of government in the Florida Department of Law Enforcement's Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

For purposes of coordinating the preparation of our application(s) for grant funds with the Office of Criminal Justice Grants, we have designated the following person:

Name: Michael Cooksey
Title: Director
E-mail: mcooksey@pinellascounty.org
Agency: Pinellas County Justice and Consumer Services
Address: 631 Chestnut St
City: Clearwater Zip: 33756
Telephone: 727-453-7441 County: Pinellas

Sincerely,


Chair, Board of County Commissioners

Rule Reference 11D-9.006 OCJG-024 (Rev. June 2012)

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY
By Michelle Wallace
Attorney



Florida Department of
Law Enforcement

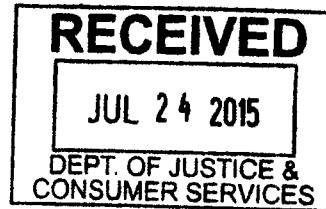
Richard L. Swearingen
Commissioner

Business Support
Office of Criminal Justice Grants
Post Office Box 1489
Tallahassee, FL 32302-1489
(850) 617-1250
www.fdle.state.fl.us

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture

July 16, 2015

The Honorable Karen Seel
Chairperson, Pinellas County
Board of Commissioners
315 Court Street
Clearwater, FL 33756



Re: Federal Fiscal Year (FFY) 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program –
JAG Countywide – State Solicitation

Dear Chairperson Seel:

The Florida Department of Law Enforcement (FDLE) anticipates an award from the United States Department of Justice for FFY 2015 JAG funds. FDLE will distribute these funds in accordance with the JAG Countywide distribution provisions of Chapter 11D-9, Florida Administrative Code.

FDLE has set aside \$259,908 funds for use by all units of government within Pinellas County. Enclosed are the following documents to assist your county with the strategic planning and allocation process.

JAG-Countywide Program Announcement & Application Instructions
JAG-Countywide Project Timeline
JAG-Countywide Application Checklist
Certificate of Participation

The enclosed Program Announcement provides an overview of these funds which can be used by local units of government to support a broad range of activities to prevent and control crime and to improve the criminal justice system. Please note the Program Announcement includes information from the U.S. Department of Justice relating several areas of national focus and its priorities to help maximize the effectiveness of the Byrne/JAG funding.

The Application Instructions provide an overview of requirements for submitting the JAG-Countywide request for funding through FDLE's on-line grant management system (SIMON). JAG-Countywide documents are also located online at
<http://www.fdle.state.fl.us/content/Grants/JAGC2016.aspx>

As a condition of participation in this program, the units of government in each county must reach a consensus concerning the expenditure of these funds. This consensus must include the projects to be implemented as well as the agency responsible for such implementation. Developing such consensus will require someone to exercise leadership and assume a coordinating role in the development of applications for these funds. This coordinator will also serve as a liaison between the awarding agency and the subrecipient(s) to ensure all reports, documentation, and timelines are being submitted as per the requirements of the agreement.

FDLE recommends the Board of County Commissioners assume this responsibility. In the event the county declines to serve in this capacity, the Department will request the governing body of each municipality in the county, in descending order of population, to serve as the coordinating unit of government.

The Honorable Karen Seal
July 16, 2015
Page Two

The enclosed Certificate of Participation form requests the identification of an individual coordinator. We will send this individual further information regarding the application process in FDLE's online grant management system.

The information provided for this year's award process is similar to those provided in previous years, but contain substantial revision based on new state and federal requirements for subawards involving federal grant funds. Please review all information and ensure the designated County Coordinator forwards all relevant program and application information to applicable JAG Project Directors within your county.

Please complete the enclosed Certificate of Participation and return it as soon as possible to the mailing address below:

Florida Department of Law Enforcement
Office of Criminal Justice Grants
Attention: Petrina T. Herring
2331 Phillips Road
Tallahassee, Florida 32308

FDLE does not discriminate, and prohibits subrecipients from discriminating, on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.

We look forward to working with you. Please contact me or the JAG supervisor Randall Smyth at (850) 617-1250 with any questions or for further assistance regarding the JAG Program.

Sincerely,



Petrina T. Herring
Bureau Chief

PTH/ps

Enclosure

cc: Mayors in Pinellas County
Law Enforcement Agencies in Pinellas County
Current JAG Project Directors in Pinellas County



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

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

**Federal Fiscal Year 2015
Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

JAG-Countywide

**Program Announcement
Application Instructions
Important Pre- and Post-award Dates
Application Checklist**

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JAG-C Program Announcement

Introduction

The State of Florida, Department of Law Enforcement (FDLE) anticipates an award from the United States Department of Justice (USDOD) for \$10,412,774 for the Justice Assistance Grant (JAG). FDLE will distribute JAG-Countywide (JAG-C) local share funds in accordance with the JAG-C distribution provisions of Chapter 11D-9, Florida Administrative Code. This announcement is to notify eligible applicants of program requirements. Please note this Program Announcement includes information from the USDOD relating several areas of national focus and its priorities to help maximize the effectiveness of the Byrne/JAG funding.

Eligible Applicants

Units of local government are eligible to receive subawards from FDLE. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Program Strategy, Purposes and Coordination Efforts

Office of Criminal Justice Grants (OCJG) administers the JAG Program for the State of Florida. The JAG Program replaced the Byrne Formula and Local Law Enforcement Block Grant (LLEBG) programs with a single funding mechanism that simplifies the administration process for grantees and allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system.

The procedure for allocating JAG funds is a formula based on population and crime statistics in combination with a minimum allocation. Traditionally, under the Byrne Formula and LLEBG Programs, funds were distributed 60/40 between state and local recipients. This distribution continues under JAG. FDLE has designated the 60% funding awarded to the State of Florida as JAG Countywide, which has a variable pass through requirement to locals. The 40% funding designated for units of local government receiving awards of \$10,000 or less, passed through the State of Florida, is referred to as the Florida JAG Direct. It is possible for a unit of government to receive funding under both JAG Countywide and Florida JAG Direct. This program announcement is for the JAG Countywide funds. The Florida JAG Direct funds will be announced once JAG Countywide is complete.

Each county is allocated a sum of money for use by all local governments within the county. This amount is determined through a funding algorithm established in the administrative rule. Chapter 11D-9, Florida Administrative Code, requires that units of government in each county reach consensus concerning the expenditure of these funds, including projects to be implemented and the agency responsible for such implementation.

Maximum coordination is required to meet this program requirement, and the Department requests the county board of commissioners to serve as the coordinating unit for all local governments within the county. The Chairman, Board of County Commissioners, in each county so notified is requested to return to the Department a statement of certification indicating the county's willingness to serve. This certification must be returned within 10 business days from the date of receipt of notification. In the event the county declines to serve in this capacity, the Department will request the governing body of each municipality in the county, in descending order of population, to serve as the coordinating unit of government.

Furthermore, FDLE requires that units of government in each county reach consensus concerning the expenditure of the JAG funds, including the projects to be implemented and the agency responsible for such implementation. Each county must document this consensus by submitting letters from at least 51 percent of the units of government which also represent at least 51 percent of the population located in said county.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas:

1. Law enforcement programs;
2. Prosecution and court programs;
3. Prevention and education programs;
4. Corrections and community corrections programs;
5. Drug treatment and enforcement programs;
6. Planning, evaluation, and technology improvement programs; and
7. Crime victim and witness programs.

Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding. However, please limit each application for funding to one program type, for example, equipment purchase, task force, crime prevention, school resource officer, prevention education, drug treatment, domestic violence.

DOJ/Bureau of Justice Assistance (BJA) Priorities

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- ☐ Improving the quantity and quality of evidence OJP generates
- ☐ Integrating evidence into program, practice, and policy decisions within OJP and the field
- ☐ Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's CrimeSolutions.gov web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

A useful matrix of evidence-based policing programs and strategies is available through the Center for Evidence-Based Crime Policy at George Mason University. In the reentry field, a summary of research-based reentry strategies is available on the National Reentry Resource Center's What Works in Reentry Clearinghouse link. BJA offers a number of program models designed to effectively implement evidence-based strategies including Smart Policing, Smart Supervision, Smart Pretrial, Smart Defense, and Smart Prosecution. BJA encourages states to 6 BJA-2015-4165

use JAG funds to support these "smart on crime" strategies, including effective partnerships with universities and research partners and with non-traditional criminal justice partners.

JAG Priority Areas

BJA wishes to ensure that recipients are aware of several areas of national focus and priority and to encourage recipients to maximize the effective use of JAG funds. The following is a list of key priorities:

Reducing Gun Violence

Gun violence has touched every state, county, city, town, and tribal government in America. In an effort to address this continuing need, BJA continues to encourage states and localities to invest valuable JAG funds in programs to: combat gun violence, enforce existing firearms laws, improve the process used to ensure that those prohibited from purchasing or owning guns are prevented from doing so, enhance reporting to the FBI's National Instant Criminal

Background Check System (NICS) and provide active shooter response training to law enforcement officers and first responders.

Body-Worn Cameras, Storage, and Policies

JAG subawards relating to body-worn cameras may be required to submit attestations, certifications and/or documentation supporting the development of policies and procedures for equipment use, data storage, privacy, victims, access, disclosure and training.

Recidivism Reduction, Pretrial Reform and Justice System Realignment

In this time of fiscal austerity and smaller state and local budgets, reducing unnecessary incarceration in a manner that promotes public safety is a paramount goal. Effective community supervision of non-violent offenders coupled with evidence-based program interventions can result in significant reductions in recidivism. A priority funding area is the implementation of effective pretrial services programs. The use of validated risk assessment tools to inform pre-trial release decisions is critical. For a variety of resources, or to request BJA supported technical assistance from the Pretrial Justice Institute, see www.pretrial.org. Another priority for JAG funding is to support innovative programs and approaches in probation and parole supervision that improve services to offenders and increase collaborative efforts among community supervision agencies with law enforcement and the courts.

Another promising approach to justice systems reform is the Justice Reinvestment Initiative (JRI), a public-private partnership between BJA and the PEW Public Safety Performance Project. Currently, 19 states and 17 local governments are working to control spiraling incarceration costs through JRI and reinvestment savings in evidence-based criminal justice programs and strategies. Strategic investment of JAG funds to implement JRI legislation and policy changes in those states and localities can augment federal funds and achieve greater cost savings and reinvestments in programs to promote public safety. (See the Urban Institute's Justice Reinvestment Initiative State Assessment Report.)

Indigent Defense

Another key priority area is support for indigent defense. BJA continues to encourage states and SAAs to use JAG funds to support the vital needs of the indigent defense community. Attorney General Holder has consistently stressed that the crisis in indigent defense reform is a serious concern which must be addressed if true justice is to be achieved in our nation. In 2002, the American Bar Association (ABA) published Ten Principles of a Public Defense Delivery System which represent fundamental building blocks for implementing quality legal representation for indigent defendants. (See ABA's Ten Principles of a Public Defense Delivery System.)

Improving Mental Health Services

Disproportionate numbers of people with mental illness are involved in the criminal justice system often as a result of untreated or undertreated mental illness. This is an issue that impacts numerous facets of the criminal justice system. BJA encourages states to utilize JAG funding in support of programs and policy changes aimed at the following: identifying and treating people with severe mental illness before they reach crisis point; training law enforcement and correctional officers on mental health and mental health related crisis-intervention; increasing justice system diversion strategies to divert offenders with mental illness from unnecessary arrest and incarceration to more appropriate and cost-effective community-based treatment and supervision; mental health courts, allowing inmates to continue psychotropic medication in jails; and improving oversight of mental health care in jails, increasing post-jail housing options and enhancing community mental health services. (See Adults with Behavioral Health Needs under Correctional Supervision.)

Length of Award

JAG Countywide awards are typically for a period not to exceed twelve months beginning on October 1 and ending on September 30.

Distribution of Funds

Grant funds are distributed on a cost-reimbursement basis for satisfactory performance of eligible activities. Requests for reimbursement can be submitted on a monthly or quarterly basis and should include total expenditures for the period reflected. Reimbursements will be processed in conjunction with receipt of programmatic performance reports to determine successful completion of minimum performance deliverables as specified in the agreement.

Application Access and Deadline

FDLE is currently implementing significant changes in SIMON to accommodate new performance requirements in the federal Performance Management Tool (PMT) based on recent guidance from DOJ. FDLE anticipates being able to open the announcement code in SIMON for recipients to apply no later than August 15, 2015.

Applications must be submitted via the FDLE Subgrant Information Management Online grant management system (SIMON) by **September 4, 2015**. In addition, please mail two hard copies of the application with original signature pages to FDLE by **September 10, 2015**.

Training

All applicants are invited to participate in an online training on the application process that will be held on August 20, 2015, at 2:30 PM Eastern Time. Additional information for this webinar is forthcoming.

Registration Requirements

To apply for JAG funds in SIMON, an organization and its users must be registered in SIMON and, have a Data Universal Numbering System (DUNS) number as required by OJP, and be registered with the U.S. Federal Government's System for Award Management (SAM.gov – previously known as CCR).

Prohibited Uses

JAG funds may not be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. Based on extraordinary and exigent circumstances making the use of funds essential, the U.S. Department of Justice, Bureau of Justice Assistance (BJA) may certify a state's request to use funds for:

- a. Vehicles (excluding police cruisers*), vessels (excluding police boats), or aircraft (excluding police helicopters);
- b. Unmanned aerial vehicles/unmanned aircraft, aircraft system, or aerial vehicles (UA/UAS/UAV);
- c. Luxury items;
- d. Real estate;
- e. Construction projects, other than penal or correctional institutions; and
- f. Any similar matters.

* JAG funds can be used to purchase police cruisers. A police cruiser is defined as a vehicle (marked or unmarked), as well as police motorcycles and helicopters, used in the ordinary course of business by police forces for law enforcement activities such as patrolling, temporarily detaining and transporting individual prisoners, and including a police pursuit vehicle (PPV) or a system support vehicle (SSV). Examples include sedans and sport utility vehicles (SUVs).

JAG funds may not be used to supplant state or local funds; this includes overtime pay, uniforms, clothing allowances, etc. for a given activity.

Bulletproof Vest Purchases

Bulletproof vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, bulletproof vests purchased must be American-made. The latest NIJ standard information can be found at <http://www.nij.gov/topics/technology/body-armor/Pages/welcome.aspx>

To use JAG funds for bulletproof vests, the agency must certify a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at <https://www.bja.gov/Funding/JAGFAQ.pdf>.

This policy must be in place for all uniformed officers before any JAG funding can be used for vests. A sample policy is available from OCJG.

JAG funds may not be used to meet the 50% match requirement for the Bulletproof Vest Program.

Costs Requiring Pre-Approval

Vehicles

The purchase of vehicles (other than police cruisers as defined above) requires pre-approval from BJA. This requirement pertains to trucks and all other non-SUV specialty vehicles. Before allowing a vehicle purchase, BJA must determine that "extraordinary and exigent circumstances exist that make the use of funds to purchase the vehicle essential to the maintenance of public safety and good order." (JAG FAQ: <https://www.bja.gov/Funding/JAGFAQ.pdf>).

A separate letter must be submitted with the application describing the type of vehicle requested, the need for this type of vehicle, and how it will be used for project activities. The letter should also explain why the agency cannot purchase the vehicle with other funds and identify potential consequences if the request is not approved.

Note: Segways, golf carts, ATVs, bicycles, etc. do not require pre-approval from BJA as long as the mode of transportation does not require state licensing or registration.

Meth Mitigation Plans

Any program that funds any portion of methamphetamine laboratory operations must complete a Meth Mitigation Plan that includes the nine protective measures or components required by BJA. If an agency's application requests costs related to meth lab operations, review the Standard Condition, "Mitigation of Health, Safety and Environmental risks dealing with Clandestine Methamphetamine Laboratories" and the BJA web-site related to NEPA compliance (including in relation to meth labs) (www.bja.gov/Funding/nepa.html); then please contact FDLE's Office of Criminal Justice Grants for further assistance.

Publications and Other Media

All media created or published using federal grant funds must be reviewed and approved by FDLE and/or BJA prior to release or distribution. This includes any curricula, training materials, brochures, or other written materials that will be published, including web-based materials and web site content, as well as all audio or video materials, including Public Service Announcements. Grant recipients must submit a draft of each proposed item to OCJG no later than thirty (30) days prior to the targeted dissemination date. For items containing videos, a transcript may be provided with screenshots or a description of the visual portion.

All materials publicizing or resulting from award activities shall contain the following statements:

"This project was supported by Award No. _____ awarded by the Bureau of Justice Assistance, Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice."

This requirement does not apply to the purchase or reproduction of existing materials or items created by other agencies or vendors, for example, crime prevention brochures. This requirement also does not apply to items that serve only to advertise an event or the availability of services. If in doubt as to whether this requirement applies to your project, please contact FDLE's Office of Criminal Justice Grants.

NEPA

Any improvement, building or construction project will require pre-approval to ensure compliance with the National Environmental Policy Act (NEPA). This may include relatively minor activities such as installing fence-posts, security

or surveillance cameras, or anchoring any item to the ground. If the grant will fund any activities that may fall under this requirement, review the Standard Condition related to NEPA and the section of the BJA web site related to NEPA compliance (www.bja.gov/Funding/nepa.html); then contact FDLE's Office of Criminal Justice Grants for assistance.

Sole Source

If any proposed costs will be sole source to a single vendor, a sole source justification must be maintained on file. For sole source procurement over the federal acquisition threshold of \$150,000, pre-approval must be obtained by both OCJG and DOJ. Recipients should submit the Sole Source Justification Form with the application.

Automated Data Processing (ADP) Equipment

Agencies requesting to purchase ADP equipment that exceed \$100,000, you must complete an ADP Equipment and Software and Criminal Justice Information and Communication Systems Request for Approval Form and enclose this form with the project application. See the section on Automated Data Processing (ADP) Equipment in the Certifications section of Creating an Application below.

Civil Rights Requirements

1. Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subrecipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); and Department of Justice Non-Discrimination Regulations 28 CFR Part 42; see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
2. FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.
3. Subrecipients are responsible for ensuring that contractors, vendors, and agencies to whom they pass-through funds are in compliance with all Civil Rights requirements and that the contractors, vendors, and agencies are aware that they may file a discrimination complaint with the subrecipients, with FDLE, or with the Office for Civil Rights and how to do so.
4. Equal Employment Opportunity Plans
 - a. A subrecipient or implementing agency must develop an EEO Plan if it has 50 or more employees and has received any single award of \$25,000 or more from the Department of Justice. The plan must be prepared using the on-line short form at www.ojp.usdoj.gov/about/ocr/eeop_comply.htm, must be retained by the subrecipients or implementing agency, and must be available for review or audit.
 - b. If the subrecipients or implementing agency is required to prepare an EEO Plan and has received any single award of \$500,000 or more from the Department of Justice, it must submit the EEO plan to the Department of Justice for approval. A copy of the Department of Justice approval letter must be submitted to FDLE. The approval letter expires two years from the date of the letter.
 - c. To prepare an EEOP, please visit the OCR website at www.ojp.usdoj.gov/about/ocr/eeop.htm. The website contains an automated on-line EEOP Short Form for preparing a plan that provides screen-by-screen prompts to complete the plan. All new EEOPs must be completed using the on-line short form. Recipient of JAG Countywide funds from FDLE are

considered a "subrecipient." For subrecipients, the Short Form will ask for two grant numbers. The grant number at the top of the screen is the application number from SIMON. For grants that have already been awarded, use the subaward number (for example, 2999-JAGC-CNTY-99- Q9-999). For current applications and any others that have not yet been awarded, use the application reference number (for example, 2999-JAGC-999). The grant number on the bottom half of the screen is FDLE's federal grant number from USDOJ. Please contact OCJG for this number.

- d. A subrecipient or implementing agency is exempt from the EEO Plan requirement if it has fewer than 50 employees, if it does not receive any single award of \$25,000 or more from the Department of Justice, or if it is a nonprofit organization, a medical or educational institution, or an Indian Tribe.
- e. All subrecipients and implementing agencies must also submit an EEO Certification to FDLE.
- f. The subrecipients and implementing agency acknowledge that failure to comply with EEO Requirements within 60 days of the project start date may result in suspension or termination of funding, until such time as it is in compliance.
- g. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.
- h. In accordance with federal civil rights laws, the subrecipients shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.
- i. Subrecipients must include comprehensive Civil Rights/Nondiscrimination Provisions in all contracts funded by the subaward recipient.
- j. If the subrecipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subrecipient, with FDLE or with the Office for Civil Rights. Discrimination complaints may be submitted to FDLE at Office of the Inspector General, P.O. Box 1489, Tallahassee, Florida 32302-1489 or emailed to fdlecomments@fdle.state.fl.us. Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW, Washington, DC 20531, by phone at (202)307-0690.
- k. The subrecipient must have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subrecipient.
- l. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission based on the nature of the complaint.
- m. **Americans with Disabilities Act**
Subrecipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).
- n. **Limited English Proficiency (LEP)**
In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

- o. **Equal Treatment for Faith Based Organizations**
The subrecipient agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

Grant recipients must be able to document compliance with each of these requirements at the time of monitoring. Please contact OCJG with questions about how these requirements relate to a grant project or about the specific documentation that will be required.

State and Federal Transparency

Subaward agreements and information supplied to the Office of Criminal Justice Grants for grant management and payment purposes will be used by FDLE to report to the following mandatory state and federal transparency systems.

Federal Funding Accountability and Transparency Act (FFATA)

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is www.USASpending.gov.

Performance Management Tool (PMT)

The Bureau of Justice Assistance maintains the Performance Management Tool (PMT) online system for reporting performance data for subaward agreements.

Florida Accountability and Contract Tracking System (FACTS)

The Florida Legislature amended Section 215.985, F.S., making the Department of Financial Services (DFS) responsible for the development and maintenance of a contract reporting system, the Florida Accountability Contract Tracking System (FACTS). State law requires all agreements (contracts, purchase orders and grants for state or federal financial assistance) to be placed in this transparency system.

FDLE will provide all subaward agreements from SIMON to the FACTS system, including original contract and amendment document images. The following excerpt from F.S. 215.985 provides information for the specific information required to be provided to FACTS.

- (14) The Chief Financial Officer shall establish and maintain a secure contract tracking system available for viewing and downloading by the public through a secure website. The Chief Financial Officer shall use appropriate Internet security measures to ensure that no person has the ability to alter or modify records available on the website.

- (a) Within 30 calendar days after executing a contract, each state entity shall post the following information

relating to the contract on the contract tracking system:

1. The names of the contracting entities.
 2. The procurement method.
 3. The contract beginning and ending dates.
 4. The nature or type of the commodities or services purchased.
 5. Applicable contract unit prices and deliverables.
 6. Total compensation to be paid or received under the contract.
 7. All payments made to the contractor to date.
 8. Applicable contract performance measures.
 9. If a competitive solicitation was not used to procure the goods or services, the justification of such action, including citation to a statutory exemption or exception from competitive solicitation, if any.
 10. Electronic copies of the contract and procurement documents that have been redacted to exclude confidential or exempt information.
- (b) Within 30 calendar days after an amendment to an existing contract, the state entity that is a party to the contract must update the information described in paragraph (a) in the contract tracking system. An amendment to a contract includes, but is not limited to, a renewal, termination, or extension of the contract or a modification of the terms of the contract.
- (c) By January 1, 2014, each state entity shall post to the contract tracking system the information required in paragraph (a) for each existing contract that was executed before July 1, 2013, with payment from state funds made after June 30, 2013.
- (d) Records made available on the contract tracking system may not reveal information made confidential or exempt by law.

Exemption from FACTS

The SIMON grant management system allows for partial or complete contract exemption from FACTS for those agreements containing information exempt from public records. Please contact OCJG for additional information, to determine whether an agreement would be exempt, and the process and documentation required for exemption.

Performance Measures

The subrecipient must include in the application an indication of the timing and scope of expected performance as related to the outcomes intended to be achieved by the program. Where appropriate, the application may include specific performance goals, indicators, milestones, or expected outcomes (such as outputs, or services performed or public impacts of any of these) with an expected timeline for accomplishment. Reporting requirements must be clearly articulated such that, where appropriate, performance during the execution of the award has a standard against which the subrecipient's performance can be measured. These requirements should be aligned with agency strategic goals, strategic objectives or performance goals that are relevant to the program. See OMB Uniform Grant Guidance (2 CFR Part 200) 200.76 and 200.77.

Creating the Application

Failure to follow these instructions and submit all required information will result in the application returned in SIMON for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

A brief description of the application process is below. Applications will be submitted via FDLE's online grants management system, SIMON, which can be accessed at <http://simon.fdle.state.fl.us>. This website also includes a Help section containing a detailed user manual and, frequently asked questions for some of the SIMON related tasks. Please read this manual before beginning the application process in SIMON.

Due to the time involved in processing and approving user accounts and organization(s) requests, it is imperative that applicants complete the following steps as soon as possible. (If the agency already has a user account and the organizations subrecipient and implementing agency) already exist in SIMON, please disregard Steps 1 and 2).

Step 1: USERNAMES

Any member of a subaward agency working on the grant who does not already have a SIMON user account should create one by clicking "Register" on the front page of SIMON and completing the associated request form. Users will then receive an email containing the SIMON username and password. These are computer generated, and only the person whose email address appears in the request will receive the username and password.

Step 2: ORGANIZATION

If your subrecipient and your implementing agency organizations are not already in the system, they must now be entered. Please note that a Data Universal Numbering System (DUNS) number is required to complete this step. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. To obtain a free DUNS number call Dun and Bradstreet at (866) 705-5711 or apply online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

The subrecipient must also have an active registration with the U.S. Federal Government's System for Award Management (SAM), formerly known as the Central Contractor Registration (CCR) System. Please visit <https://www.sam.gov> to register or update/reactivate the organization's information. The application will not be awarded until this step has been completed.

Step 3: CREATING THE APPLICATION

The person who creates the application is the Application Manager and can modify/submit all tasks in SIMON regarding this application. Please review the position roles that are in SIMON (spreadsheet on Page 19 of user manual). More than one person can edit a module of an application by being assigned a role by the Application Manager. When a user who is not the Application Manager opens a transaction, the user will need to click the "Lock Transaction for Editing" button on the screen, make and save changes, and then click "Unlock Transaction" button. (The reason for locking and unlocking a transaction is further explained in the user manual.) Please review the spreadsheet carefully to understand which roles are able to perform specific tasks. Financial transactions are electronically signed and must be submitted by a Chief Financial Officer or designee. Please be sure to assign the appropriate roles to all necessary financial staff in SIMON.

The application consists of four main components: Administration, Project Overview, Performance, and Financial. The on-line user manual provides detailed instructions for completing the application. The following information will provide additional guidance to troubleshoot some of the most frequent problems.

****When entering data into SIMON, remember to SAVE the information on EACH screen****

Failure to submit required Program information will result in an application being returned in SIMON for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award

Project Overview

General Project Information

- A. Project Title. Enter a short, descriptive project title. The initial project title will remain the same throughout the subaward period. If this application is a continuation of a previous year project, the project title should not change.
- B. Subaward Period. The typical subaward has a start date of October 1 and is for a period not to exceed twelve (12) months.

Problem Identification

The problem identification is a brief description of the problem addressed with the subaward funds. Be aware this text entry area is limited to approximately 7,000 characters and does not have spell check or special formatting; therefore, we recommend information first be entered into a word processing program and then copied into SIMON.

Please be aware that when pasting information into SIMON some characters may convert to symbols. It is important to review the information places into each section for accuracy prior to submitting the application.

Be sure to address the following items:

- A. Problem Description. What is the problem to which the project is responding? Define the problem as it relates to the program area under which funds are being sought. Be concise, avoid redundancy, but give enough detail to allow the reviewer to understand the problem.
- B. Problem Significance. Why is this problem significant to the subrecipient? Identify who is affected by the problem including the specific types of individuals who contribute to and/or who are negatively affected by the problem. Write for an audience that knows nothing about the problem and explain why it is important that the proposed project address this problem at this time.
- C. Needs Assessment. Identify the current scope of the problem. Support your problem statement(s) with factual information. Use both quantitative and descriptive data that relates to the specific geographic area(s) and problem. If this is a new subaward, highlight identified unmet needs the project will address this year. If this is a continuation of a pre-existing subaward, provide a brief summary of project accomplishments in meeting identified needs to date.

Project Summary (Scope of Work)

The Project Summary is a brief description of how the proposed project will focus on the problem. Be aware that this text entry area is limited to approximately 7,000 characters and does not have spell check or special formatting; therefore, we recommend information first be entered into a word processing program and then copied into SIMON.

Be sure to address any of the following items that are relevant to your project:

- A. What will the project accomplish?
- B. Who will receive services? (Participants must be involved with the criminal justice system.)

- C. Who will provide services?
- D. What other agencies will participate? For a multijurisdictional task force, provide a copy of the task force agreement. The agreement must address how assets will be divided if the task force is disbanded.
- E. If your project includes significant equipment purchases, describe the equipment to be purchased and how it will be used in project operations.
- F. Do NOT use brand or model names and do NOT include quantities or dollar amounts.
- G. Give a general description of cost covered by grant funds.

Technology Related Projects

Subawards that may involve technology related projects, information sharing initiatives, or other projects that would result in the local system connecting to or interfacing with the state or national enforcement network must include the following statement in the Project Summary/Scope of Work:

"This project requests federal grant funding for a law enforcement or criminal justice technology related project and may be subject to review and approval by the State Information Technology (IT) Point of Contact. By utilizing funds for this project, the subrecipient and implementing agency agree to conform to all state and national standards for technology and information sharing systems that connect to, and/or interface with state and national systems, and/or reside on the state Criminal Justice Network (CJNet). These standards include, but are not limited to, the FBI CJIS Security Policy and any rules, regulations or guidance enacted by the Criminal and Juvenile Justice Information System (CJJIS) Council under F.S. 943.06."

Section Questions

Before answering the EEO questions, please check with the subrecipient and implementing agency's personnel director/human resource officer/clerk.

For Part 1, concerning Federal Revenue, answer "yes" or "no." If you answer "yes" to Part 1, also answer Part 2. If you answer "no" to Part 1, answer "N/A" to Part 2.

Administration

Officials/Contact

The Chief Officials and Chief Financial Officers are filled automatically based on organization data. To modify these individuals, please consult the user manual, Chapter 7. A Project Director must be assigned by selecting the "Assign Role" button. If the decision is made to divide tasks, select the "Assign Role" button and assign other contact positions. If an individual is assigned as the subrecipient or implementing agency chief official designee, written documentation of signature authority for that person must be on file and available for review at monitoring.

Financial

General Financial Info

Financial reports may be submitted monthly or quarterly and are due within **30 days** after the end of the reporting period. **Receipt of funds will be contingent on timely reporting.**

Project Budget, Budget Status

- A. When entering information under Financial, Project Budget, the CALCULATE button and the SAVE button must be clicked for the changes to be permanent; clicking the SAVE button without first calculating will not

save the changes.

- B. Please show all funds budgeted to the next highest dollar; do not include cents. (Example, show \$4,505.25 as \$4,506.) **Since match dollars are not required, please leave the match amounts at zero.**
- C. The amounts in the Budget Categories must match the amounts in the Budget Narrative.

Project Budget, Budget Narrative

A. General Instructions

1. You must briefly describe the budget categories requested. Be aware that this text entry area is limited to approximately 9,000 characters.
2. If the budget includes services based on unit costs, in the space provided under Financial Section Questions, be sure to provide a definition and cost for each service and to describe the basis for unit costs and to state when the basis was established or updated.
3. The Budget Narrative may reflect costs in any of the five budget categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay (OCO), Indirect Costs). A subtotal for each category in the budget narrative must be identified, as well as the total project costs.
4. Describe the line items in each applicable budget category for which the application is requesting subaward funding. Provide sufficient detail to show cost relationships to project activities. **Do not use model/brand names.**
5. Do not allocate or include as a cost any item approved or requested on another federally financed program.
6. Federal funds may not supplant state or local funds; this includes overtime pay for a given activity. For additional guidance, please refer to the USDOJ Financial Guide at <http://ojp.gov/financialguide/DOJ/>
7. **If actual project costs will exceed the available grant funding, make a statement that the subrecipient will cover all costs in excess of the amount available.**

B. Required Criteria for Documenting Allowable Project Costs

1. Costs are necessary and reasonable for proper and efficient project administration and implementation and not a general expense to carry out a subrecipient's overall responsibilities.
2. Costs are authorized by Federal Code or Florida Statutes or local laws and regulations are in effect at the time subaward is awarded.
3. Costs are treated consistently with policies, regulations, and procedures that apply uniformly to other subrecipient activities.
4. Costs reflect the net of all applicable credits. Applicable credits means receipts or reduction of expenditure transactions that offset or reduce expense items. Applicable credits may include purchase discounts, rebates or allowances, recoveries or indemnities on losses, sales of publications, etc. Applicable credits may also occur when the subrecipient or implementing agency receives federal funds from sources other than this subaward to finance operations or capital items.

C. Budget Categories

Salaries and Benefits. Funds used to support payment of salaries and benefits to government employees dedicated to project activities.

1. Positions created with subaward funds must be in excess of the current number of appropriated positions in the implementing agency. If Salaries and Benefits are included in the budget cost as actual costs for staff in the implementing agency, is there a net personnel increase or a continued net personnel increase from the initial year? If no, state that no benefits will be charged to the grant. If yes, please list number and title of position and type of benefits. Be sure to answer the Financial Section Question about net personnel increase.
2. For full and part time positions, list the number and type of positions and the salary for each position (do not give names of individuals in the positions funded). State what percentage of the position's time will be spent on the project and what percentage of the position's salary will be charged to the grant. If the position was grant-funded in a prior year, the percentage of the position's salary funded cannot exceed the percentage paid for the same position in prior years with grant funds.
3. For each position, include the following statement in the Budget Narrative: "This position will work XX% of time on project and the grant will pay for XX% of the salary/benefits."
4. If the grant will pay for less than 100% of the salary and benefits for a position that is working 100% of its time on the grant, include one of the following statements in addition to the statement required in #3 above:
 - a. The grant will be charged at 100% of salaries and benefits until all funds budgeted for the position are expended. The agency will continue to fund the position through the end of the grant period.
 - b. The grant will be charged at XX% for each reporting period for the life of the grant.
5. If the position will spend 100% of its time on grant-related activities, regardless of the percentage of costs to be reimbursed by the grant, the subrecipient will be required to submit a Certification for Employees Working Solely on a Single Federal Award every six months and at closeout.
6. For overtime, list the types of positions that will be paid overtime, the estimated number of hours to be worked and estimated rate of pay.
7. For all positions, including overtime, list all benefits to be paid by type (such as retirement, health insurance, social security). For overtime, do not include any benefits that are paid in full on the individual's straight-time salary. If no benefits will be paid, state "No benefits will be charged to the grant" in the Budget Narrative.
8. The Project Summary should include a brief description, for all grant-funded positions, that clearly identifies the work related to the project.
9. Pay and benefits cannot be increased because of federal monies. Employees are to be paid their actual regular hourly rate / overtime hourly rate not the estimated amount reflected on the approved budget narrative. Benefits claimed can only be what are normally claimed for position(s) in the approved budget.

Contractual Services. Funds paid to an individual, organization, or other unit of government for specified services provided under terms of the contract between the subrecipient and the contract provider. Briefly describe how these services will be procured. The contract must include, by reference, the Standard Conditions section of the Subaward Application. Project contractual services must comply with the following requirements:

1. Local units of government must use their respective rules and regulations. In the absence of local rules and regulations, or if state regulations are more restrictive, state regulations must be used as a guide.
2. If the relationship with the service provider is contractual, describe the procurement process

(competitive bids or sole source). If sole source procurement is used, review the information regarding Sole Source Justification under Certifications in this document.

3. Arrangements with individuals must ensure that dual compensation is not involved; the contractual arrangement is written, formal, proper and otherwise consistent with the subrecipient's usual practices for obtaining such services; time and services for which payment will be made and rates of compensation will be supported by adequate documentation; and transportation and subsistence costs for travel performed are at an identified rate consistent with the subrecipient's general travel reimbursement practices.
4. Arrangements with other government units must ensure that work or services claimed for reimbursement are directly and exclusively devoted to subaward purposes and charged at rates not in excess of actual costs to the contractor government agency.
5. Compensation for consultants employed by state and local governments will only be allowed when units of government will not provide their services without cost. In these cases, the rate of compensation must not exceed the daily rate paid by the unit of government.
6. Compensation for individual consultant services must be reasonable and consistent with that paid for similar services in the market place. Federal regulations provide that the maximum rate for each consultant is \$650 (excluding travel and subsistence costs) for an eight-hour day. An eight-hour day may include preparation, evaluation and travel time in addition to time required for actual performance. A request for compensation for over \$650 a day requires prior approval and additional justification. For consultants hired through a competitive bidding process, not sole source, the \$650 threshold does not apply.
7. Contractors must not appear on the federal government's Excluded Parties list (<https://www.sam.gov>).

If the service provider is a non-profit organization and being reimbursed from the Subrecipient/Implementing Agency, the budget narrative should reflect **unit costs** for each service provided, not Salary and Benefits, Expenses, Operating Capital Outlay or Indirect Costs. If the grant will pass through funds to a county or city other than the subrecipient or implementing agency, please call your grant manager for instruction regarding which costs may be charged directly and which must be unit costs.

Expenses. Funds paid for expenses necessary for project activities.

1. Expenditures should be assigned to Expenses or Operating Capital Outlay (OCO) based on the subrecipient's or the implementing agency's established policy. If the organization does not have an established policy, the State policy applies to the subaward. The State policy is that Expense items are consumable, expendable items that have a unit cost less than \$1,000 and/or a useful life of less than one (1) year.
2. Itemize all expense items for purchase. Any items not specifically listed in the budget will be disallowed. Do not use the terms "such as," "etc." or "misc." Do not use brand or model names.
3. All expense items must contribute directly to the project requesting funding and not be used for routine agency operations.
4. Allowable expense costs include:
 - a. Advertising for personnel recruiting and competitive bidding.
 - b. Printing and reproduction. Describe items to be printed and/or reproduced.
 - c. Rental of staff offices and conference space.

- d. Communications expenses should be itemized (communications may include telephones, cell phones, pagers and related service charges, air cards and internet access including wireless service). **All radios (mobile or hand-held) must be P25 compliant.**
 - e. Publicity. List purpose and types of media.
 - f. Office supplies such as paper products, pens, paperclips, and printer cartridges. For office supplies only, you may say, "For example . . ." and give a representative list; you do not have to list all office supplies for purchase.
 - g. Postage and shipping fees.
 - h. Office equipment or furniture. List all items for purchase, for instance, desks, chairs, filing cabinets, bookcases, printers, fax machines, and shredders.
 - i. Registration or tuition fees for conferences or training seminars and related travel expenses and travel related to field trips. All trips must be specifically identified in the budget with as much information as is available. If the location or dates of an event are unknown, give the name and purpose of the event. All travel must clearly relate to the program requesting funding. List all travel expenses for funding on the grant, such as lodging, per diem, meals, airfare, rental vehicle, mileage, and incidental expenses.
 - j. Travel and Training costs (food and/or beverages for meetings, conferences, training, or other events are NOT allowable).
 - k. Confidential Funds. Prior to expenditure of confidential funds, the subrecipient must submit an executed Confidential Funds Certification Form.
 - l. Vehicle expenses. Itemize by type (such as gas, oil changes, other routine maintenance, and repairs).
 - m. Utility expenses. Itemize by type of service.
 - n. Computer equipment and accessories below your OCO threshold. List all associated items for purchase including printers. These items may be requested as computer and associated peripheral equipment, including printers and monitors, if required to purchase separately.
 - o. Travel and Training costs.
5. See above for pre-approval requirements related to vehicles, body armor/bulletproof vests, meth mitigation plans, publications and other media, NEPA, sole source purchases and automated data processing equipment.

Operating Capital Outlay (OCO) or Equipment. Funds paid for equipment necessary for project activities.

- 1. Expenditures should be assigned to Expenses or OCO based on the subrecipient's or the implementing agency's established policy. If the organization does not have an established policy, the State policy applies to the subaward. The State policy is that OCO includes equipment and other non-consumable, non-expendable items that have a unit cost of \$1,000 or more and/or a useful life of more than one (1) year. Please identify the threshold for OCO items in the Financial Section Questions.
- 2. Itemize all OCO items for purchase and give a cost per item. NOTE: All radios (mobile or hand-held) must be P25 compliant.

Indirect Costs. Costs that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project.

1. If indirect cost is included in the budget, please indicate the basis for the plan (for example, percentage of salaries and benefits) in the space provided under Financial Section Questions.
2. Submit a copy of the current approved indirect cost plan, with the project application and provide documentation of the appropriate approval of this plan. The approval must be from the federal cognizant agency.
3. State agencies must have prior approval of their indirect cost plan from a cognizant federal agency.
4. The OCJG reserves the right to deny reimbursement of subaward indirect costs.
5. Guidelines for calculating Indirect Cost
 - p. If the Indirect Cost is 3.4%, figured on a total federal dollar amount of \$75,000, use the following calculation:
$$\begin{aligned} \$75,000 / 1.034 &= \$72,533.85 \text{ then} \\ \$72,533.85 \times 0.034 &= \$2,466.15, \text{ the allowable Indirect Cost.} \end{aligned}$$
 - q. If the Indirect Cost is based on Salaries and Benefits, the calculation will only be against the Salaries and Benefits budget category.
6. Answer all Section Questions.

Failure to submit required financial information will result in an application being returned in SIMON for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

Performance

Please review the JAG Performance Information document carefully. Performance reports will be due within **15 days** after the end of the reporting period. **Receipt of funds will be contingent on timely reporting.**

General Performance Information Federal and State Purpose Areas

- A. Choose ONLY one Federal Purpose Area for the project.
- B. Choose as many State Purpose Areas as fit the project beginning with **State Purpose Area A—Accomplishments** that is required for all projects.
 - State Purpose Area A requires a description of anticipated program accomplishments or benefits. Please ensure that you provide a thorough description that ties clearly to the Project Summary (Scope of Work) and also details how accomplishments will be measured, documented, etc.
- C. All State purpose areas must have the dollar amount that will be allocated to that area. All areas added together will equal the total award amount.

Objectives and Measures

- A. For each State Purpose Area selected, choose as many objectives and measures as fit the project. The objectives are based on mandatory federal performance metrics and provide information that FDLE must report to USDOD. You will report your progress in achieving objectives on a quarterly basis.

- B. Purpose Areas, Objectives, and Measures selected must be appropriate for the proposed project. For specific information about purpose areas, objectives, and measures, please refer to the JAG Performance Information document.

Activities/Locations

Select as many Activities and Locations as apply to your project.

Section Questions

If "other" is selected for Location Type or Geographic Area, answer the Section Questions accordingly; otherwise, answer "not applicable."

Failure to submit required Performance information will result in an application being returned in SIMON for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

Standard Conditions

These are the conditions of agreement requiring compliance by units of local government (subrecipients), implementing agencies and state agencies upon signed acceptance of the subaward. It is imperative that all persons involved with or having administrative responsibility for this subaward read the Standard Conditions. Copies of this section of the application must be returned as part of the completed application. Failure to comply with provisions of this agreement may result in project costs being disallowed.

Only project costs incurred on or after the effective date of this agreement, as well as on or prior to the termination date of this agreement are eligible for reimbursement.

Certifications

Equal Employment Opportunity (EEO) Certifications

All subrecipients and implementing agencies must comply with the EEO requirements below. If the implementing agency is included in the subrecipient's EEO Certification and/or plan, no further documentation is required. If the implementing agency is not included in the subrecipient's EEO Certification and/or plan, a separate certification and/or plan must be submitted. Usually, a police department will be included in the city's plan, but a sheriff's office will not be included in the county's plan. Those subrecipients unclear whether their agency is included should contact their respective Human Resource department.

- A. All subrecipients and implementing agencies must submit a signed EEO Certification form. Submit the certification to OCJG with the application. Do not send the certification to USDOL as instructed on the form.
- B. When completing the certification form, be sure to provide all information requested in the top portion, including the recipient's name and address, DUNS number, the grant title, the grant number for the current application, (use the application reference number, for example, 2999-JAGC-999), the award amount, and the contact person's name, title, phone number, and email address. The contact person listed should be someone who is knowledgeable about your grant. The form must be signed by the chief official or designee or by other appropriate staff such as a Human Resources or Personnel Director or an EEO Coordinator.
- C. Any subrecipient or implementing agency that is applying for an award of less than \$25,000 and that has no current USDOL awards of \$25,000 or more, regardless of the number of employees, should complete the top portion and Section A of the form and mark the box indicating receiving an award of less than \$25,000.

- D. Any subrecipient or implementing agency that is applying for an award, regardless of the monetary amount, that has fewer than 50 employees should complete the top portion and Section A of the form and mark the box indicating having under 50 employees.
- E. Any subrecipient or implementing agency that currently has or is applying for an award of at least \$25,000 but under \$500,000 and that has 50 employees or more must prepare an on-line EEOP Short Form and should complete the top portion and Section B of the form.
- F. Any subrecipient or implementing agency that currently has or is applying for a single award of over \$500,000 and that has 50 employees or more must prepare an on-line EEOP Short Form and submit it to OCR for review and approval and should complete the top portion and Section C of the form. A copy of the letter approving the EEOP must be submitted to OCJG with the application.
- G. If you need to prepare an EEOP, visit the OCR website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. On the website is an automated on-line EEOP Short Form for preparing your plan that prompts you screen-by-screen to complete the plan. All new EEOPs must be completed using the on-line short form. You are a subrecipient for grants that you receive from FDLE. For subrecipients, the Short Form will ask for two grant numbers. The grant number at the top of the screen is your application number from SIMON. For grants that have already been awarded, use your subaward number (for example, 2999-JAGC-CNTY-99-Q9-999). For your current application and any others that have not yet been awarded, use your application reference number (for example, 2999-JAGC-999). The grant number on the bottom half of the screen is FDLE's federal grant number from USDOJ. Contact your grant manager for this number.

Sole Source Justification

If the project requires a purchase of services or equipment from a sole source, you must complete the Sole Source Justification for Services and Equipment Form. The authorized official for the subrecipient or the implementing agency must sign this form. If the cost exceeds \$150,000, pre-approval by OCJG is required. Submit the signed form with your application. If the cost is below \$150,000, keep the form on file for review at an on-site monitoring visit. Sole Source purchases under \$150,000 must be stated as such in the application, and sufficient detail must be provided in order to determine that the purchase is eligible.

If the subrecipient is a state agency and the cost is at least \$150,000, then the agency must submit a copy of the approval from the Department of Management Services (F.S. 287.057(5)).

Automated Data Processing (ADP) Equipment

Automated Data Processing (ADP) Equipment means general purpose commercially available, mass produced automated data processing components and equipment systems created from them regardless of use, size, capacity or price. Components and systems are designed to be applied to the solution or processing of a variety of problems or applications and are not specifically designed (not configured) for any specific application.

If you plan to purchase ADP equipment and the cost exceeds \$100,000, you must complete an ADP Equipment and Software and Criminal Justice Information and Communication Systems Request for Approval Form and enclose this form with the project application. ADP equipment costs are limited to costs dedicated to project activities. The authorized official for the subrecipient or the implementing agency must sign this form.

For further clarification, refer to the Financial Guide, USDOJ Common Rule for States and Local Governments and the federal Office of Management and Budget's Circulars A-21, A-87, A-110, and A-102, as applicable, in their entirety.

Confidential Funds Certification

Bulletproof Vest Certification

Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements State agencies only

Signature Page

In the spaces provided, enter the typed information, as identified on the form, for both the subrecipient and the implementing agency.

Each application must be signed by:

- A. Subrecipient authorizing official who is the chief officer or elected official of the subrecipient (head of state agency, chairman of county commission, mayor of city, chief of Indian tribe).
- B. Implementing agency authorizing official who is the chief officer or head of the government agency responsible for implementing the project.

When a chief officer or elected official of a subrecipient or implementing agency designates some other staff person signature authority for him/her, the chief officer or elected official must submit to FDLE a letter or resolution indicating the person given signature authority. The chief officer or elected official and the person receiving signature authority must both sign the letter indicating delegation of signature authority. The letter must also clearly identify which authority is being delegated.

The subrecipient must notify FDLE in a timely manner if there are any changes in signature authority during the grant period. Once the grant is awarded, most grant documents will be submitted electronically. To update the officials in SIMON or to designate an individual with signature authority, follow the instructions in the user manual or contact the SIMON helpdesk.

Corrections (strike-through, whiteout, etc.) on the signature page will not be accepted.

Submit two original signature pages for each application. If you submit only one original signature page, you will not receive an original back for your file.

Step 4: Submitting the Application

Please reference the attached application checklist and timeline.

Before you submit your application in SIMON, print out a copy of your application, signature pages, Standard Conditions, and any required certifications. The application must be submitted on-line **no later than September 4, 2015, at 5:00 PM, EDT.**

REMINDER: When copying information into SIMON from another program or document, some characters may convert to symbols. It is important to review the information placed into each section for accuracy prior to submitting the application.

While FDLE is striving to create a paperless grants management system, for the time being hard copies are still required. The following documentation should be submitted to FDLE **no later than September 10, 2015.**

- A. Two complete copies of the application, both with original signatures.
- B. EEO Certifications or USDOJ approval letters.
- C. Any of the following that apply to your project:

Sole Source Justification Form
ADP Form

Certifications Regarding
Lobbying Confidential Funds
Certification
Signature Authority letter/resolution
Bulletproof Vest Certification

Failure to submit required documentation will delay award or will result in the attachment of a withholding of funds special condition at the time of award.

Contact Information

Our office is available for any assistance needed Monday through Friday, 8:00 a.m. – 5:00 p.m. EDT by calling (850) 617-1250 and ask to speak with your county's grant manager.

For issues relating to SIMON, please ask for the SIMON Help Desk; otherwise, contact Senior Management Analyst Supervisor Randy Smyth.

FFY 2015 JAG-C Project Timeline

Application Timeline

June 30, 2015	Florida received final state JAG appropriation from U.S. Department of Justice
July 16, 2015	Funding notifications with anticipated county allocations mailed to Board of County Commissioners with copies provided to Sheriffs, Mayors, Police Chiefs, University Police Chiefs and Project Directors. BOCC requested to assign a County Coordinator and respond in writing to FDLE.
August 1, 2015	BOCC deadline to respond to Office of Criminal Justice Grants (OCJG) with Certification of Participation and designation of County Coordinator.
Ongoing	Upon receipt of BOCC COP and County Coordinator designation, OCJG provides County Coordinator with application information. County coordinator to forward information to all application managers in their respective counties.
August 31, 2015	Deadline for County Coordinators to submit required 51% letters to OCJG advising of applications that will be submitted from agencies within their respective counties.
September 4, 2015	Deadline for all applications to be submitted in SIMON.
September 10, 2015	Deadline for hard copies of applications with original signatures and any additional certifications/forms to be received by OCJG.
October 1, 2015	Start date for most JAG-C funded projects

Important Post-Award Dates and Timeline

for projects with October 1, 2015 start date

Subrecipients requesting quarterly reimbursement must submit quarterly performance reports.

Subrecipients requesting monthly reimbursement must submit monthly performance reports.

Programmatic Performance reports are due in SIMON no later than 15 days after the end of the reporting period (month or quarter).

Project expenditure reports are due in SIMON no later than 30 days after the end of the reporting period (month or quarter).

December 1, 2015	Deadline for subrecipients to provide OCJG with a letter explaining the status and reason for delay of any projects not operational. JAG Standard Conditions require projects to be operational within 60 days of original start date.
December 29, 2015	Deadline for subrecipients to provide OCJG with a second letter explaining the status and reason for delay of any projects not operational. JAG Standard Conditions require projects that are not operational within 90 days be reviewed by the Department for termination of agreement and reallocation of funding.
August 31, 2016	Deadline for processing final grant adjustments in SIMON for most JAGC subawards, within 30 days of end of grant period.
October 15, 2016	Financial closeout due in SIMON, no later than 45 days after end of grant period.

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FFY 2015 JAG-C SIMON Application Checklist

Overall Grant Application

- ☐ Does your agency have an active DUNS number?
- ☐ Is your SAM.gov registration current/active?
- ☐ Have you and applicable grant staff read the Standard Conditions that apply to JAG subgrants?
- ☐ Have you obtained a properly signed EEO certification and/or EEO plan as applicable to your grant?
- ☐ Did you include any additional forms required, such as sole source, confidential funds, bulletproof vest certification, signature authority, task force agreement, etc.?
- ☐ Are all sections of the grant complete and the application designates a Project Direct with knowledge of program goals/objectives, performance and expenditure requirements, record keeping and overall grant management coordination?

Problem Identification

- ☐ Does the problem identification clearly describe a need/issue required to be addressed with grant funds, including the scope of the problem and who is affected by the need/issue?
- ☐ Is there information describing the repercussions or impact if the need is not met?
- ☐ If this is a continuation from a pre-existing subgrant, does this section provide a brief summary of project accomplishments that have been achieved, or needs that have been met, to date?

Project Summary (Scope of Work)

- ☐ Does the scope of work sufficiently describe the goals and objectives of the project? How will the problem identified in the previous section be addressed with this subgrant?
- ☐ Does this section identify what the project will accomplish?
- ☐ Does this section identify who will receive services and/or who will provide services?
- ☐ Does this section identify standards, such as the quantity of activities/services or a minimum level of service to be performed?
- ☐ Does this section provide a breakdown of the deliverables that will be received?
- ☐ Does this section identify how deliverables will be accounted for and documented for performance reports? (i.e. criteria for successful completion, how service providers will be managed and held accountable during the grant period, etc.)
- ☐ For equipment purchases, does this section describe the equipment to be purchased, how it will be used in project operations, and how the purchase of the item(s) will address the problem identified in the previous section?

Financial / Budget

If the budget contains Salaries/Benefits:

- ☐ Is the salary rate (hourly, biweekly, annually, etc.) provided with total # of hours, weeks, etc.?
- ☐ If overtime, does the narrative provide estimated number of hours with rate of pay?
- ☐ Are the benefits clearly defined and include rate, cost or percentage?
- ☐ Does the narrative contain a statement of the percentage the position is paid from grant funds?
- ☐ Does the narrative contain the percentage of time the position will work on grant funded activities?
- ☐ Does the narrative contain information for the percentage the grant will be charged for each reporting period?
- ☐ Does the narrative provide a brief description on how the position(s) being funded from the grant will accomplish grant activities?

If the budget contains Contractual Services:

- ☐ Does the budget clearly describe the activities each party will be contracted to perform?
- ☐ Does the narrative identify costs per service(s) rendered?
- ☐ Are unit costs clearly defined with supporting information in the Section Questions for Application Section #4: Financial?
- ☐ Does the narrative identify deliverables or documentation required to initiate payment?
- ☐ If contractual services contain consultant rates in excess of \$650 per day, does the application contain the additional request (letter) for approval of consultant rates?
- ☐ Does the narrative provide a brief description on how the services being procured will be used to accomplish grant activities?

If the budget contains Expenses:

- ☐ Does the budget list all the items that will be purchased and provide approximate costs for each?
- ☐ If the purchase is a bundle, does the budget list the items included in bundle?
(i.e. if purchasing a computer is it a laptop or desktop, does it include docking station and/or peripherals? If so, which ones?)
- ☐ Does the narrative provide a brief description on how the purchase of these items will assist the project or be used toward accomplishing grant activities?

If the budget contains Operating Capital Outlay (OCO):

- ☐ Does the budget list each item to be purchased and provide the cost per item? If the item(s) purchased are included in a bundle or package, please detail what is included in the bundle.
- ☐ Is shipping, handling, warranty, and/or maintenance included and listed in the budget (if applicable)?
- ☐ If not already described in the Scope of Work, does the narrative provide an explanation on how the item(s) will be used to accomplish project activities?
- ☐ If warranty is included in the purchase, does the budget ensure grant funds will only be used for up to the first year of maintenance and only for dates within the approved grant period?

If the budget contains Indirect Costs:

- ☐ Is an Indirect Cost Plan included, as approved by the cognizant agency?