

City of Fayetteville Staff Review Form

2020-0027

Legistar File ID

2/4/2020

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Mike Reynolds

1/14/2020

POLICE (200)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends acceptance of the FY2020 Project Safe Neighborhood (PSN) grant award to the Fourth Judicial District Drug Task Force and approval of a budget adjustment in the amount of \$23,000.

Budget Impact:

2930.200.2960-various	Drug Enforcement Grant
Account Number	Fund
32229.2020	DTF PSN 2020 State Grant
Project Number	Project Title
Budgeted Item? <u> No </u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u> No </u>	Item Cost
Budget Adjustment Attached? <u> Yes </u>	Budget Adjustment \$ 23,000.00
	Remaining Budget \$ 23,000.00

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF FEBRUARY 4, 2020

TO: Mayor and City Council
FROM: Mike Reynolds, Chief of Police *Mike Reynolds*
DATE: January 14, 2020
SUBJECT: Project Safe Neighborhood (PSN) Grant Award
for the Fourth Judicial District Drug Task Force

RECOMMENDATION:

Staff recommends acceptance of the Project Safe Neighborhood (PSN) Grant Award to the Fourth Judicial District Drug Task Force (4th JDDTF) and approval of a budget adjustment in the amount of \$23,000.

BACKGROUND:

The 4th JDDTF applied for the PSN grant on November 1, 2019 to the Department of Finance & Administration, Office of Intergovernmental Services. In partnership with the U.S. Attorney's Office for the Western District of Arkansas, the PSN grant is designed to create and foster safer neighborhoods through a sustained reduction of violent crime. The program's effectiveness depends on partnerships of local, state, and federal law enforcement agencies working together with the communities they serve. As the fiduciary of the 4th JDDTF, Fayetteville will administer grant funds through its project accounting system. This is the first time this grant has been awarded to the 4th JDDTF.

DISCUSSION:

The 4th JDDTF will utilize the PSN grant funds to enhance their investigation of narcotics trafficking and assist with investigations involving a nexus to firearms, drugs and violence. The funds will also be used to train patrol officers of area law enforcement agencies to recognize cases that could be potentially prosecutable under the PSN parameters, and advise them on investigative procedures. As a result of this training, seizures of firearms should increase, thus making neighborhoods safer.

The 4th JDDTF will also establish a covert buy fund for the purchase of firearms from drug dealers. These covert purchases will remove the guns from the hands of criminals and supplement federal prosecution.

BUDGET/STAFF IMPACT:

There are no matching funds associated with this grant. A budget adjustment in the amount of \$23,000 will be added to the 2020 operating budget. There is no impact on staffing.

Attachments:

Attachments:

Budget Adjustment

Project Safe Neighborhood award document



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AO Initials	GENERAL TERMS AND SPECIAL SUBGRANT CONDITIONS
	<p>The applicant assures that federal funds made available under the Project Safe Neighborhoods (PSN) Program will not be used to supplant state and local funds, but will be used to increase the amount of funds that would, in the absence of federal funds, be made available for the activities of this project.</p> <p>The subrecipient shall ensure that federal and/or state matching funds are used to supplement existing funds for program activities and must not replace those funds that have been appropriated for the same purpose. Federal and/or state matching funds made available under this grant will be used to increase the amount of funds that would, in the absence of federal and/or state matching funds, be made available for law enforcement activities. If there is a potential presence of supplanting, the subrecipient will supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.</p> <p style="padding-left: 40px;">For example, no maintenance and operation costs previously funded by a state, city or county government may be supported with Drug Crime Fund and/or state matching funds. Any federal and/or state matching funds budgeted to supplement existing state and/or local funds due to increased maintenance and operation costs (e.g. fuel, utilities, etc.) shall not be used until all state and/or local funds budgeted for those costs are exhausted.</p>
	<p>The applicant assures that fund accounting, auditing, monitoring, and evaluation procedures as may be necessary to keep such records as the Department of Justice and the Department of Finance and Administration shall be provided to assure fiscal control, proper management, and effective disbursement/reimbursement of funds received under this sub award.</p>
	<p>The applicant assures that it will maintain an appropriate grant administration system to ensure that all terms, conditions and specifications of the grant, including these assurances, are met.</p>
	<p>The applicant assures that it will comply with the OJP Financial Guide in its administration of the grant. The OJP Financial Guide can be accessed online at https://www.justice.gov/ovw/page/file/1228061/download.</p>
	<p>The applicant assures that it shall maintain such data and information and submit such reports in such form, at such times, and containing such data and information as the as the Department of Justice and the Department of Finance and Administration may require.</p>
	<p>The applicant agrees to use the grant and matching funds only for the purposes stated in this application. Additionally, the applicant agrees that any grant and matching funds approved for personnel for this project will be based on the percent of time the personnel actually devote to the project.</p>



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	<p>The applicant assures that in the event a federal/state court or federal/state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office of Justice Programs, Office of Civil Rights Compliance (OCRC) and the Arkansas Department of Finance and Administration, Office of Intergovernmental Services.</p>
	<p>The applicant assures that if it is required to formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301, et. seq., it should submit a certification to the state that it has a current EEO on file which meets the requirements therein.</p>
	<p>The applicant assures that it will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, OJP Hearing and Appeals Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures.</p>
	<p>The applicant assures that in addition to all other audit requirements, it will allow the Division of Legislative Audit or any other independent or internal auditors of the Department of Finance and Administration to have access to the applicant's records and financial statements;</p> <ul style="list-style-type: none">(A) as may be necessary for the Department of Finance and Administration to comply with 2 C.F.R. 200 and other rules and/or regulations governing financial accounting and auditing guidelines, principles, and procedures; and(B) as may be requested by the Department of Finance and Administration to comply with any State or local government rules and/or regulations.
	<p>The applicant assures that it will fully participate in the compilation of statistical information as required by state agencies, i.e., providing complete fingerprint information.</p>
N/A	<p>The applicant assures that both federal, state, and matching funds used for this project will be used exclusively to support defined in Justice Assistance Grant (JAG) Program activities and will not be used to support any general purpose law enforcement or other activity maintained by the applicant.</p>



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N/A	The applicant assures that if the grant funds are used to support a Task Force, the Task Force Board of Directors or 'Control Group' will hold regularly scheduled meetings every two (2) months, and will provide DFA-IGS and the State Drug Director with copies of the agenda and minutes of each meeting.
N/A	The applicant assures that if the grant funds are used to support a Task Force, appropriate and adequate staffing would be maintained for the duration of the project period. For efficiency in project implementation, the State Drug Director's Office highly recommend that appropriate staff include a full-time Drug Task Force Commander (certified law enforcement officer) and a Fiscal Officer regardless if funds are used to pay salaries.
N/A	The applicant assures that if grant funds are used to support a Task Force, the Task Force Administrator/Director/Commander and the Board of Directors will develop and/or maintain a detailed policy and procedures manual for the guidance of task force operations. Copies of the Policy and Procedures Manual as well as updates and revisions shall be forwarded to DFA-IGS and the State Drug Director's Office. <i>(Updates and Revisions shall be submitted when occurred.)</i>
	The applicant assures that all proposals for out of state travel for conference and training will be submitted for approval prior to any expense being incurred.
N/A	If Drug Crime Funds are awarded, the sub-recipient must comply with Act 1086 of 2007: The State Drug Crime Enforcement and Prosecution Grant Fund http://www.arkleg.state.ar.us/assembly/2007/R/Acts/Act1086.pdf
	If applicable, the sub-recipient agrees to prepare and submit an <i>Inventory Report</i> for equipment purchased with federal, state, and/or local matching funds with the <i>1st Quarterly Report</i> . <i>(Updates to Inventory Reporting shall be submitted with quarterly reports.)</i>
	The sub-recipient agrees to prepare and submit a <i>Monthly Request for Reimbursement Form</i> (with copies of invoices, cancelled checks, and other documentation of expenditures by line item) by the 15 th day of each month following the month for which subgrant expenditures were paid. A supporting document(s) (Excel Spreadsheet) reporting the allocation of subgrant expenditures between federal, state and/or local funds shall accompany each Request for Reimbursement. Reimbursement requests must be timely. Documentation must be appropriate, legible, and accurate. Sub-recipients are required to submit requests monthly, even if the request is zero. Failure to submit monthly reimbursement requests in a timely manner may impose additional special conditions. Please note and acknowledge the additional items below. <ol style="list-style-type: none"> a. Grant funds will be used only in accordance with the approved budget. Expenditures incurred or made outside the approved budget line items/categories will be disallowed. b. All lease agreements (i.e. vehicle, storage, office space, and/or rental) must be submitted to DFA-IGS for the file within 60 days of the award date. c. Preapproval is required for out of state travel. Prior to travel, sub-recipient must submit an out-of-state travel request form to IGS for approval no later than 30 days before the travel. IGS will provide the



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N/A

- standard form to use. Expense incurred for out of state travel that is not pre-approved by IGS will be disallowed.
- d. Before unique purchases, review federal/state solicitations and be aware of other unallowable items or items that require special conditions for approval.

The sub-recipient agrees to prepare and submit *Quarterly Reports* by the 10th of the month following the end of a quarter. Report due dates are October 10th, January 10th, April 10th, and July 10th. Sub-recipient must utilize the Accountability Measures Quarterly Report Tool when submitting quarterly reports. Failure to submit quarterly reports in a timely manner may result in suspension of funds.

The sub-recipient agrees to prepare and submit *Monthly Reports* by the 10th of each month to both DFA-IGS and the State Drug Director's Office. Monthly Reports are to be submitted in an excel format utilizing DFA-IGS Reporting Tool #2. Failure to submit quarterly reports in a timely manner may result in suspension of funds.

Budget Modifications/Revision Requests must be submitted by the 10th of the month in order for them to be considered for expenditures made during that month. Budget revisions will not be accepted during the last month of the grant period absent extraordinary circumstances. Sub-recipient may request modification of the approved budget to reallocate funds between existing categories. Requests for the addition of new budget categories or line items may not be approved. The final budget request modification/revision must be submitted no later than October 10th. DFA-IGS will only accept four (4) budget modifications request during the awarded project period. **This does not include the initial budget modification which is due within 45 days of the Award Date.**

The subrecipient agrees to submit within **thirty (30) days** of the end of the grant period a *Cumulative Financial Report and Annual Narrative Report* "MARKED FINAL." Reimbursement requests not submitted by ninety days past the final day of the grant period will be denied payment subject extraordinary circumstances. Absent such circumstances, the federal and/or state funds will be de-obligated from the subaward.

The sub-recipient agrees to provide notification to IGS of all changes made to the General Project Information, i.e. scope, contact information-name, address, telephone, fax, e-mail, etc. and changes made to authorized officials and/or staffing. The sub-recipient will assure that DFA-IGS has complete and correct contact information for the Contract Official for the grant. Changes in contact information will include physical address, phone, fax and e-mail information as well as any updated Memorandum of Understanding. Replacement or changes of DTF officers/staff who are paid directly by the grant or whose salary is used in whole or in part as match to the grant must also be reported the DFA-IGS.

The sub-recipient agrees to attend any required DFA-IGS sponsored trainings/meetings as deemed necessary as well as other local trainings/meetings.



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[Redacted box]

The sub-recipient understands that prior written approval is required for subgrant expenditures from federal and/or state funds budgeted in equipment and travel and training line items. The subrecipient shall submit to IGS a written request to purchase small equipment items not approved in the initial budget and submit a written request for use of funds for out-of-state travel and training. Federal and/or state funds budgeted for these purposes shall neither be obligated nor expended until approved by DFA-IGS. All approvals will be transmitted in written form to the subrecipient.

[Redacted box]

The sub-recipient understands that should it fail to comply with the Federal Award Special Conditions and State Terms and Conditions of this subaward, including civil rights requirements, whether stated in a Federal or State statute, regulation, assurance, application, or notice of award, IGS may take one or more of the following actions, as appropriate in the circumstances: (1) temporarily withhold cash payments pending correction of the deficiency by the recipient; (2) disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance; (3) wholly or partly suspend or terminate the current award; (4) withhold further awards for the project or program and (5) take other remedies that may be legally available.

[Redacted signature line]

(Signature of Authorized Official)

Lioneld Jordan

(Print Name)

Willie Newman

(Signature of Fiscal Officer)

Willie Newman

(Print Name)

[Redacted date line]

(Date)

Mayor

(Title)

01/14/2020

(Date)

Fiscal Officer

(Title)



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SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any certifications or assurances 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.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office of Justice Programs ("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. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

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).

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.

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 2018 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2018 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 2018 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.



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SPECIAL CONDITIONS

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 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.

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, 2016, 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, 2016, 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.



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SPECIAL CONDITIONS

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.

8. Requirements related to System for Award Management and Universal Identifier Requirements

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.

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

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

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).

9. Requirement to report actual or imminent breach of personally identifiable information (PII)

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.

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

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

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



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SPECIAL CONDITIONS

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

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

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <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 \$150,000)), and are incorporated by reference here.

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

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

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <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.

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

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

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

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

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.

15. OJP Training Guiding Principles

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



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SPECIAL CONDITIONS

16. Effect of failure to address audit issues

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

17. Potential imposition of additional requirements

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.

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

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

19. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

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."

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

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

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

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <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.



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21. Restrictions on "lobbying"

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.)

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.

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.

22. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2018)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2018, are set out at <https://ojp.gov/funding/Explore/FY18AppropriationsRestrictions.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.

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

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC 20530; and/or (2) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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

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

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

1. In accepting this award, the recipient--

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

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

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

a. it represents that--

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

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

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



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

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.

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

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

26. Encouragement of policies to ban text messaging while driving

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

27. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

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.

28. FFATA reporting: Subawards and executive compensation

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.

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).



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29. 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. 2018-GP-BX-0072 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.
30. 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.
31. Verification and updating of recipient contact information

The recipient must verify its Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
32. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (<https://bjapmt.ojp.gov/>). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.
33. Required attendance at BJA-sponsored events

The recipient (and its subrecipients at any tier) must participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.
34. Cooperating with OJP Monitoring

The recipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The recipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
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.



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36. Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

37. 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.

38. Copyright; Data rights

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.

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).

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.

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.

39. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:

"This Web site is funded [insert "in part," if applicable] through a grant from the [insert name of OJP component], Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)."

The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.



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40. Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.
41. The grantee agrees to secure and maintain on file signed statements by each member of the selection committee appointed by the United States Attorney or the PSN Task Force indicating that in making recommendations or decisions regarding contracts or subgrants paid for by this grant, the member had no conflict of interest. Such statements must include all of the language included in the PSN Conflict of Interest Certification, however, the grantee may use a different format or may add other related certifications of their own.
42. Justification of consultant rate

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.
43. The recipient agrees to coordinate the project with the U.S. Attorney and Project Safe Neighborhoods Task Force for the district covered by the award. The recipient also is encouraged to coordinate with other community justice initiatives, and other ongoing, local gun prosecution and law enforcement strategies.
44. The recipient agrees to submit to DOJ for review and approval, any proposal or plan for Project Safe Neighborhoods media-related outreach. DOJ approval must be received prior to any obligation or expenditure of grant funds related to the development of media-related outreach projects.
45. The recipient may obligate, expend, and draw down \$15,000 for the sole purpose of developing a PSN Strategic Action Plan (SAP). The recipient is not authorized to incur any additional obligations, or make any additional expenditures or draw-downs until the awarding agency has reviewed and approved the recipient's SAP and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
46. PSN Conditional Clearance with exception of funds released for required travel

The recipient is authorized to incur obligations, expend, and draw down funds for travel, lodging, and per diem costs only, in an amount not to exceed \$15,000, for the sole purpose of covering costs for PSN task force members to attend a required OJP conference/meeting associated with this grant award. The recipient is not authorized to incur any additional obligations, or make any additional expenditures or draw-downs until the awarding agency and the Office of the Chief Financial Officer (OCFO) has reviewed and approved the recipient's budget and budget narrative, and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
47. The recipient must submit a description and timeline for the subaward competition process and projected start date for the PSN strategy implementation phase of the initiative no later than 180 days after award acceptance (BJA may, at its discretion, grant an extension for good cause shown). The recipient is not authorized to incur any additional obligations, make any additional expenditures, or draw down any additional funds until BJA has approved the recipient's completed Description of Competition Process and has issued a Grant Adjustment Notice (GAN) removing this condition.



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48. PSN Competition Requirement

The recipient must coordinate a competitive application process to determine award subrecipients, in line with priorities and strategies identified by the associated PSN Task Force. Such competition must be based on objective eligibility criteria, application requirements, and application review procedures determined in advance of competition. Individuals who evaluate the subrecipient applications must not be federal employees or employees of any applicant for a subaward. In addition, they must not have played any part in the development of the subrecipient application.

The recipient is permitted to retain award funds (in addition to any amount retained for administrative expenses) for implementation of a program activity, only if (1) it was selected by the PSN task force or steering/selection committee associated with this award; (2) it was not involved in discussions to determine funding allocation amounts by strategy or activity, or to identify target area(s) for the award; and (3) the activity cannot be performed by or competed to another entity.

49. PSN Withholding: Budget Narrative

The recipient may only obligate, expend, and draw down \$15,000 for the sole purpose of attending a required OJP conference/meeting associated with this grant award. The recipient is not authorized to incur any additional obligations, or make any additional expenditures or drawdowns until (1) it has provided to the grant manager for this OJP award the budget narrative, (2) OJP has completed its review of the information provided and of any supplemental information it may request, and (3) a Grant Adjustment Notice has been issued removing this special condition. Recipient should further be aware that the provisions found herein may be superseded by more restrictive special conditions otherwise placed upon this award.

50. PSN Withholding: Application Attachment

The recipient may only obligate, expend, and draw down \$15,000 for the sole purpose of attending a required OJP conference/ meeting associated with this grant award. Recipient may not obligate, expend or draw down funds until (1) it has provided to the grant manager for this OJP award the required application attachment(s), (2) OJP has completed its review of the information provided and of any supplemental information it may request, and (3) a Grant Adjustment Notice has been issued removing this special condition. Recipient should further be aware that the provisions found herein may be superseded by more restrictive special conditions otherwise placed upon this award.

51. PSN Fiscal Agent Definition

References in this award document to "recipient" and "fiscal agent" both refer equally to the entity or organization receiving this award directly.

52. The recipient understands and agrees that no more than 10 percent of the total amount of this award may be used by the recipient for costs associated with administering the award.

53. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.



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54. Certification of Compliance with 8 U.S.C. 1373 (within the funded "program or activity") required for valid award acceptance by a "State"

In order validly to accept this award, the prospective recipient must submit the required "State or Local Government: FY 2018 Certification of Compliance with 8 U.S.C. 1373" (executed by the chief legal officer of the State). Unless that executed certification either-- (1) is submitted to OJP together with the fully-executed award document, or (2) is uploaded in OJP's GMS no later than the day the signed award document is submitted to OJP, any submission by a State that purports to accept the award is invalid.

If an initial award-acceptance submission by the recipient is invalid, once the State does submit the necessary certification regarding 8 U.S.C. 1373, the State may submit a fully-executed award document executed by the State on or after the date of that certification.



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55. Noninterference (within the funded "program or activity") with federal law enforcement: 8 U.S.C. 1373; ongoing compliance

1. With respect to the "program or activity" funded in whole or part under this award (including any such program or activity of any subrecipient at any tier), throughout the period of performance, no State or local government entity, -agency, or -official may prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or (2) a government entity or -agency from sending, requesting or receiving, maintaining, or exchanging information regarding immigration status as described in 8 U.S.C. 1373(b). Any prohibition (or restriction) that violates this condition is an "information-communication restriction" under this award.

2. Certifications from subrecipients. The recipient may not make a subaward to a State, a local government, or a "public" institution of higher education, unless it first obtains a certification of compliance with 8 U.S.C. 1373, properly executed by the chief legal officer of the government or educational institution that would receive the subaward, using the appropriate form available at <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>. Also, the recipient must require that no subrecipient (at any tier) may make a further subaward to a State, a local government, or a public institution of higher education, unless it first obtains a certification of compliance with 8 U.S.C. 1373, properly executed by the chief legal officer of the government or institution that would receive the further subaward, using the appropriate OJP form.

3. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with the requirements of this condition.

4. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. 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) that the recipient, or any subrecipient at any tier that is a State, a local government, or a public institution of higher education, incurs to implement this condition.

5. Rules of Construction

A. For purposes of this condition:

(1) "State" and "local government" include any agency or other entity thereof, but not any institution of higher education or any Indian tribe.

(2) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).

(4) "Immigration status" means what it means under 8 U.S.C. 1373; and terms defined in 8 U.S.C. 1101 mean what they mean under that section 1101, except that "State" also includes American Samoa (cf. 34 U.S.C. 10251(a)(2)).

(5) Pursuant to the provisions set out at (or referenced in) 8 U.S.C. 1551 note ("Abolition ... and Transfer of Functions"), references to the "Immigration and Naturalization Service" in 8 U.S.C. 1373 are to be read as references to particular components of the Department of Homeland Security (DHS).

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before



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award acceptance.

56. Authority to obligate award funds contingent on noninterference (within the funded "program or activity") with federal law enforcement (8 U.S.C. 1373); unallowable costs; notification

1. If the recipient is a "State," a local government, or a "public" institution of higher education:

A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."

B. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and each subrecipient (regardless of tier) that is a State, local government, or public institution of higher education, is in compliance with the award condition entitled "Noninterference (within the funded 'program or activity') with federal law enforcement: 8 U.S.C. 1373 and ongoing compliance."

C. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded program or activity of the recipient, or of any subrecipient at any tier that is either a State or a local government or a public institution of higher education, may be subject to any information-communication restriction. In addition, any subaward (at any tier) to a subrecipient that is a State, a local government, or a public institution of higher education must require prompt notification to the entity that made the subaward, should the subrecipient have such credible evidence regarding an information-communication restriction.

2. Any subaward (at any tier) to a subrecipient that is a State, a local government, or a public institution of higher education must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the program or activity of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any information-communication restriction.

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the requirements set out in the "Noninterference ... 8 U.S.C. 1373 and ongoing compliance" award condition.

4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the "Noninterference ... 8 U.S.C. 1373 and ongoing compliance" award condition.

B. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference ... 8 U.S.C. 1373 and ongoing compliance" award condition are incorporated by reference as though set forth here in full.



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57. PSN – Subrecipient DHS question requirement

The recipient may not make a subaward to a State, a local government, or a "public" institution of higher education, unless and until the following steps have occurred first: 1) the recipient obtains a properly executed certification of compliance with 8 U.S.C. 1373 from the proposed subrecipient, along with responses to the questions identified in the program solicitation as "Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)," and 2) that certification and question responses have been submitted to BJA and BJA approves the subaward, or 3) that certification and question responses have been submitted to BJA and 30 days have passed since the submission without a denial from BJA.

ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF JUSTICE ASSISTANCE (BJA)
PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

PSN REVISED PROJECT BUDGET

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APPLICANT:	4th JD/City of Fayetteville (DTF)			
SUBGRANT NUMBER:	PW20-004-P18			
PROJECT TITLE:	PROJECT SAFE NEIGHBORHOODS (PSN)			
BUDGET SUMMARY	FUNDS REQUESTED (FEDERAL)		TOTAL	MATH CALCULATION FOR REQUESTED AMOUNT
A. PERSONNEL/OVERTIME: List all positions for which funding is sought, include positions to be used as match. Include the number of hours worked per week, the salary rate, as well as a brief description of the job duties to be performed by each position in the budget narrative. (Please Indicate If Contractual.)				
Gun Violence Investigators	\$13,954.00		\$13,954.00	\$44.30 per hour x 315 hours = \$13,954 (Average OT pay rate \$44.30 per hour)
Position 2/Name of Personnel	\$0.00		\$0.00	
Position 3/Name of Personnel	\$0.00		\$0.00	
Position 4/Name of Personnel	\$0.00		\$0.00	
Position 5/Name of Personnel	\$0.00		\$0.00	
Position 6/Name of Personnel	\$0.00		\$0.00	
TOTAL SALARY	\$13,954.00		\$13,954.00	
B. MANDATED BENEFITS: Mandated Benefits include FICA, Worker's Compensation and State Unemployment. FICA is calculated at 7.65% of total salary. Worker's Compensation and State Unemployment rates are determined by the respective agencies. (3% is the maximum amount of State Unemployment to be reimbursed)				
FICA @ 7.65% X total salary	\$0.00		\$0.00	
Worker's Compensation for all Positions @ _____ %	\$0.00		\$0.00	
State Unemployment @ _____ % of first \$10000 of salary x number of positions	\$0.00		\$0.00	
Medicare	\$202.00		\$202.00	\$13,954 overtime x 1.45% = \$202
TOTAL MANDATED BENEFITS	\$202.00	\$0.00	\$202.00	
C. EMPLOYER BENEFITS: Include all other benefits offered to employee through group policies held by the applicant (e.g. health insurance, retirement, etc.). Payments made directly to employees are not an allowable cost. The grant will not pay an employer match to any health insurance benefit at a rate of more than \$450 (the State's current match for insurance). Retirement benefits will not be reimbursed at a rate above the current state retirement benefit of 15.32%.				
LOPFI retirement	\$2,023.00		\$2,023.00	\$13,954 overtime x 14.50% = \$2,023
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL EMPLOYER BENEFITS	\$2,023.00		\$2,023.00	
D. MAINTENANCE AND OPERATIONS: Include items essential to the effective implementation of activities identified within this proposal (e.g. communications/telephone, vehicle maintenance/fuel, office-program supplies, utilities/Internet, insurances, security services, etc.)				
Covert gun buys	\$4,000.00		\$4,000.00	Projected to covertly buy 40 guns x \$100 per gun = \$4,000
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL MAINTENANCE AND OPERATIONS	\$4,000.00		\$4,000.00	

ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
 BUREAU OF JUSTICE ASSISTANCE (BJA)
 PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

PSN REVISED PROJECT BUDGET

APPLICANT:	4th JD/City of Fayetteville (DTF)
SUBGRANT NUMBER:	PW20-004-P18
PROJECT TITLE:	PROJECT SAFE NEIGHBORHOODS (PSN)

E. EQUIPMENT: List non-expendable and expendable (small) items to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years.

Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL EQUIPMENT	\$0.00		\$0.00	

F. PROFESSIONAL/CONTRACT SERVICES: Include any professional service needed to ensure success of the project (i.e. vehicle lease, office rent/storage, consultants-CPA, Accounting/Bookkeeping, etc.) For each consultant enter the name, service to be provided and hourly fee. Estimate time worked on the project. If Contract Services is used for PERSONNEL - use the Personnel/Salary Category, but list as Contractual Services.

Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL PROFESSIONAL/CONTRACT SERVICES	\$0.00		\$0.00	

G. TRAVEL/TRAINING: Itemize travel/training expenses of project personnel by purpose. Training for personnel (Both In-State and Out-of-State). OUT OF STATE TRAVEL/TRAINING WILL BE PRE-APPROVED BY DFA-IGS. Include any mileage in this section.

PSN Enforcement Training	\$0.00		\$0.00	ATF course - no charge
Airfare - PSN Enforcement Training	\$1,061.00		\$1,061.00	2 investigators x \$530 airfare = \$1,061
Lodging - PSN Enforcement Training	\$1,000.00		\$1,000.00	1 room x 4 nights x 250 per night = \$1,000
Per diem - PSN Enforcement Training	\$760.00		\$760.00	2 investigators x 5 days x \$76 per day = \$ 760
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL TRAVEL/TRAINING	\$2,821.00		\$2,821.00	

H. OTHER COST:

Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL OTHER	\$0.00		\$0.00	

TOTAL BUDGET REQUESTED	\$23,000.00		\$23,000.00	
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ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF JUSTICE ASSISTANCE (BJA)
PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

PSN REVISED PROJECT BUDGET

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APPLICANT:	4th JD/City of Fayetteville (DTF)		
SUBGRANT NUMBER:	PW20-004-P18		
PROJECT TITLE:	PROJECT SAFE NEIGHBORHOODS (PSN)		
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A. PERSONNEL/OVERTIME: List all positions for which funding is sought, include positions to be used as match. Include the number of hours worked per week, the salary rate, as well as a brief description of the job duties to be performed by each position in the budget narrative. (Please indicate if Contractual.)			
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TOTAL SALARY	\$13,954.00	\$13,954.00	
B. MANDATED BENEFITS: Mandated Benefits include FICA, Worker's Compensation and State Unemployment. FICA is calculated at 7.65% of total salary. Worker's Compensation and State Unemployment rates are determined by the respective agencies. (3% is the maximum amount of State Unemployment to be reimbursed)			
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LOPFI retirement	\$2,023.00	\$2,023.00	\$13,954 overtime x 14.50% = \$2,023
Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
TOTAL EMPLOYER BENEFITS	\$2,023.00	\$2,023.00	
D. MAINTENANCE AND OPERATIONS: Include items essential to the effective implementation of activities identified within this proposal (e.g. communications/telephone, vehicle maintenance/fuel, office-program supplies, utilities/internet, insurances, security services, etc.)			
Covert gun buys	\$4,000.00	\$4,000.00	Projected to covertly buy 40 guns x \$100 per gun = \$4,000
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Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
Item Name	\$0.00	\$0.00	
TOTAL MAINTENANCE AND OPERATIONS	\$4,000.00	\$4,000.00	

ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF JUSTICE ASSISTANCE (BJA)
PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

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APPLICANT:	4th JD/City of Fayetteville (DTF)
SUBGRANT NUMBER:	PW20-004-P18
PROJECT TITLE:	PROJECT SAFE NEIGHBORHOODS (PSN)

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Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL EQUIPMENT	\$0.00		\$0.00	

F. PROFESSIONAL/CONTRACT SERVICES: Include any professional service needed to ensure success of the project (i.e. vehicle lease, office rent/storage, consultants-CPA, Accounting/Bookkeeping, etc.) For each consultant enter the name, service to be provided and hourly fee. Estimate time worked on the project. If Contract Services is used for PERSONNEL - use the Personnel/Salary Category, but list as Contractual Services.

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Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL PROFESSIONAL/CONTRACT SERVICES	\$0.00		\$0.00	

G. TRAVEL/TRAINING: Itemize travel/training expenses of project personnel by purpose. Training for personnel (Both In-State and Out-of-State). OUT OF STATE TRAVEL/TRAINING WILL BE PRE-APPROVED BY DFA-IGS. Include any mileage in this section.

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Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL TRAVEL/TRAINING	\$2,821.00		\$2,821.00	

H. OTHER COST:

Item Name	\$0.00		\$0.00	
Item Name	\$0.00		\$0.00	
TOTAL OTHER	\$0.00		\$0.00	

TOTAL BUDGET REQUESTED	\$23,000.00		\$23,000.00	
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ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF JUSTICE ASSISTANCE (BJA)
PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

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 BUREAU OF JUSTICE ASSISTANCE (BJA)
 PROJECT SAFE NEIGHBORHOODS (PSN) GRANT PROGRAM

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APPLICANT:	4th JD/City of Fayetteville (DTF)
SUBGRANT NUMBER:	PW20-004-P18
PROJECT TITLE:	PROJECT SAFE NEIGHBORHOODS (PSN)

BUDGET SUMMARY	FUNDS REQUESTED (FEDERAL)	TOTAL
PERSONNEL/OVERTIME	\$13,954.00	\$13,954.00
MANDATED BENEFITS	\$202.00	\$202.00
EMPLOYER BENEFITS	\$2,023.00	\$2,023.00
MAINTENANCE AND OPERATIONS	\$4,000.00	\$4,000.00
EQUIPMENT	\$0.00	\$0.00
PROFESSIONAL/CONTRACT SERVICES	\$0.00	\$0.00
TRAVEL/TRAINING	\$2,821.00	\$2,821.00
OTHER	\$0.00	\$0.00
TOTAL	\$23,000.00	\$23,000.00

 AUTHORIZED OFFICIAL (AO) SIGNATURE

mavor@fayetteville-ar.gov
 479-575-8330

 DATE

 FISCAL OFFICER (FO) SIGNATURE

wnewman@fayetteville-ar.gov
 479-587-3581

 DATE