

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$5,000.00 from the undesignated fund balance of the 2018 Park Fund in acceptance of a donation from friends and family of Jennifer Long to the Parks + Rec Department, to be used for a new park bench along Little Blue Trace Trail.

ORDINANCE NO. 5153, September 24, 2018

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, friends and family of Jennifer Long have donated funds to be used for a new park bench along the Little Blue Trace Trail for use by the Parks + Rec Department; and,

WHEREAS, an appropriation is necessary in order to place the donated funds in the proper spending accounts; and,

WHEREAS, the County Executive recommends said appropriation; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and is hereby made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Park Fund 003-9999	47960 – Misc. Donations	\$5,000	
003-2810	Undesignated Fund Balance		\$5,000
003-2810	Undesignated Fund Balance	\$5,000	
Park Operations 003-1602	57210- Recreation Supplies		\$4,750
003-1602	57390- Concrete		\$ 250

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor

County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5153, introduced on September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5153.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 003 2810
ACCOUNT TITLE: Park Fund
Undesignated Fund Balance
NOT TO EXCEED: \$5,000.00

9/20/18
Date


Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: 5153

Sponsor(s): Tony Miller

Date: September 24, 2018

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Acknowledge and Appropriate Donation for Jackson County Park Improvement</p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$5,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>-0-</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$5,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>-0-</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td> <p>FROM ACCT Park Fund 003-9999-47960</p> <p>TO ACCT Park Fund 003-1602-57210 (\$4,750)</p> <p>AND</p> <p>TO ACCT Park Fund 003-1602-57390 (\$250)</p> </td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$5,000	Amount previously authorized this fiscal year:	-0-	Total amount authorized after this legislative action:	\$5,000	Amount budgeted for this item * (including transfers):	-0-	Source of funding (name of fund) and account code number; FROM / TO	<p>FROM ACCT Park Fund 003-9999-47960</p> <p>TO ACCT Park Fund 003-1602-57210 (\$4,750)</p> <p>AND</p> <p>TO ACCT Park Fund 003-1602-57390 (\$250)</p>
Amount authorized by this legislation this fiscal year:	\$5,000										
Amount previously authorized this fiscal year:	-0-										
Total amount authorized after this legislative action:	\$5,000										
Amount budgeted for this item * (including transfers):	-0-										
Source of funding (name of fund) and account code number; FROM / TO	<p>FROM ACCT Park Fund 003-9999-47960</p> <p>TO ACCT Park Fund 003-1602-57210 (\$4,750)</p> <p>AND</p> <p>TO ACCT Park Fund 003-1602-57390 (\$250)</p>										
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date):</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Brian Nowotny, Deputy Director Park Operations, 503-5303</p>										
<p>REQUEST SUMMARY</p>	<p>Requesting authorization to accept and appropriate a donation of \$5,000 to Jackson County Parks + Rec from friends and family of Jennifer Long for one new park bench along the Little Blue Trace Trail, and funds for replacement should the bench be damaged beyond repair during its useful life. Request funds be appropriated within the Park Fund to account 003-1602-57210, Recreation Supplies (\$4,750), and 003-1602-57390, Concrete (\$250).</p>										
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
<p>ATTACHMENTS</p>	<p>Copy of donation check</p>										

REVIEW	Department Director: Michele Newman, Director of Parks + Rec <i>M. Newman</i>	Date: 9-10-18
	Finance (Budget Approval): <i>If applicable</i> <i>[Signature]</i>	Date: 9/12/18
	Division Manager:	Date:
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
003-9999-47960	Park Fund – Donations	\$5000

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.


Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: August 13, 2018

Ord # 5153

Department / Division	Character/Description	From	To
003 Park Fund			
9999 -	47960 Misc. Donations	\$ 5,000	\$ -
2810 Undesignated Fund Balance			5,000
2810 Undesignated Fund Balance		5,000	
1602 Park Operations	57210 Recreation Supplies		4,750
1602 Park Operations	57390 Concrete		250
		\$ 5,000	\$ 5,000



 Budget Officer 8/12/18

The Toronto-Dominion Bank

56-382
412

2117 - 02469092

No.

- 2469092

August 30, 2018

Date

Pay to the Order of JACKSON COUNTY PARKS AND REC

U.S. \$

*****5,000.00

FIVE THOUSAND**00/100 United States Dollars

In reimbursement charge account of The Toronto-Dominion Bank, Toronto
Authorized signature required for amounts over U.S. \$5,000.00



Authorized Officer

P316
Number

To Wells Fargo Bank, N.A.
115 Hospital Drive
Van Wert, OH 45891

Countersigned



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$113,621.00 from the undesignated fund balance of the 2018 Grant Fund, in acceptance of the Emergency Management Performance Grant awarded by the Missouri State Emergency Management Agency.

ORDINANCE NO. 5154, September 24, 2018

INTRODUCED BY Crystal Williams, County Legislator

WHEREAS, the Missouri State Emergency Management Agency has awarded an Emergency Management Performance grant to the Jackson County Office of Emergency Preparedness in the amount of \$113,620.29; and,

WHEREAS, an appropriation is necessary to place the grant funds in the proper spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2018 Grant Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund Emergency Management Performance 010-1250	45752 - Increase Revenue	\$113,621	
010-2810	Undesignated Fund Balance		\$113,621
010-2810	Undesignated Fund Balance	\$113,621	
010-1250	55010 – Regular Salary		\$69,400
010-1250	55040 – FICA		\$ 3,917
010-1250	55050 – Pension		\$10,245
010-1250	55060 – Insurance		\$ 4,053

010-1250	56620 – Rent – Buildings	\$16,950
010-1250	56641 – Copier Lease	\$ 2,260
010-1250	56790 – Other Contractual Svc	\$ 1,674
010-1250	56530 – Vehicle Maintenance	\$ 1,930
010-1250	57010 – Office Supplies	\$ 1,200
010-1250	58171 – Personal Computer	\$ 600
010-1250	57110 – Fuel	\$ 1,392

and,

BE IT FURTHER ORDAINED that the County Executive and other County officials be and hereby are authorized to execute the attached Grant Agreement and any and all other documents necessary to give effect to said grant.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5154 introduced on September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5154.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.



ACCOUNT NUMBER: 010 2810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$113,621.00

9/20/18

Date



Chief Administrative Officer

 State Emergency Management Agency 2302 Militia Drive P.O. Box 116 Jefferson City, MO 65102 Phone: (573) 526-9100 Fax: (573) 634-7966		SUBRECIPIENT AWARD	
		DATE August 15, 2018	
		Award Number	Amendment No.
		EMK-2018-EP-00003-049	N/A
GRANTEE NAME Jackson County Emergency Management Agency		GRANTEE VENDOR NUMBER 44-6000524	
GRANTEE ADDRESS Frank White, Jr. Chief Executive Officer 415 E 12th St Kansas City, MO 64106		ISSUING AGENCY MO State Emergency Management Agency PO Box 116 Jefferson City, MO 65102	
GRANT INFORMATION			
PROJECT TITLE FY 2018 Emergency Management Performance Grant		FEDERAL AWARDING AGENCY Federal Emergency Management Agency	
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO 97.042		PERFORMANCE PERIOD FROM: 1/1/2018 TO: 12/31/2018	
FEDERAL AWARD AMOUNT		\$ 113,620.29	
LOCAL COST SHARE		\$ 113,620.29	
TOTAL AWARD AMOUNT		\$ 227,240.58	
CONTACT INFORMATION			
EMPG GRANT SPECIALIST		GRANTEE PROJECT DIRECTOR	
NAME Jackie Hofstetter		NAME Michael Curry, EMD	
E-MAIL ADDRESS Jackie.hofstetter@sema.dps.mo.gov		E-MAIL ADDRESS Mcurry@jacksongov.org	
TELEPHONE 573-526-9256		TELEPHONE 816-881-4625	
SUMMARY DESCRIPTION OF PROJECT The purpose of the EMPG Program is to make grants to locals in preparing for all hazards, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.). Title VI of the Stafford Act authorizes grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the Federal Government, States, and their political subdivisions. SEMA, through the EMPG Program, provides necessary direction, coordination, and guidance, and provides necessary assistance, as authorized in this title so that a comprehensive emergency preparedness system exists for all hazards in the State of Missouri. This award is not for Research and Development. There is no indirect cost rate for this award.			
TYPED NAME AND TITLE OF OHS OFFICIAL Ernie Rhodes, Director		TYPED NAME AND TITLE OF GRANTEE AUTHORIZED OFFICIAL Frank White, Jr., Chief Executive Officer	
SIGNATURE OF APPROVING OHS OFFICIAL 	DATE 8/15/2018	SIGNATURE OF GRANTEE AUTHORIZED OFFICIAL	DATE
THIS GRANT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS GRANT AGREEMENT, THE GRANTEE IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.			

SPECIFIC CONDITIONS

DATE
August 15, 2018

AWARD NUMBER
EMK-2018-EP-00003-049

Article I - Acknowledgement of Federal Funding from DHS

All subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article II - Activities Conducted Abroad

All subrecipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article III - Age Discrimination Act of 1975

All subrecipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article IV - Americans with Disabilities Act of 1990

All subrecipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

Article V - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All subrecipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Award subrecipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

Article VI- Civil Rights Act of 1964

All subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article VII - Civil Rights Act of 1968

All subrecipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 C.F.R. § 100.201).

Article VIII - Copyright

All subrecipients must affix the applicable copyright notices of 17 U.S.C. Sections 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

Article IX - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions. The administrative and audit requirements and cost principles that apply to DHS award subrecipients originate from 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.

Article X - Debarment and Suspension

Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XI - Drug-Free Workplace Regulations

All subrecipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the Subrecipient is an individual) of 2 C.F.R. part 3001, which adopts the Government-wide implementation (2 C.F.R. part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

Article XII - Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

Article XIII - Energy Policy and Conservation Act

All subrecipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

Article XIV - False Claims Act and Program Fraud Civil Remedies

All subrecipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article XV – Federal Debt Status

All subrecipients are required to be non-delinquent in their repayment of Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-428B, item number 17 for additional information and guidance.

Article XVI - Fly America Act of 1974

All subrecipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XVII - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225a, all subrecipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. §2225.

Article XVIII - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All subrecipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-accesspeople-limited> and additional resources on <http://www.lep.gov>.

Article XIX - Lobbying Prohibitions

All subrecipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XX - Non-supplanting Requirement

All subrecipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.

Article XXI - Patents and Intellectual Property Rights

Unless otherwise provided by law, subrecipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

Article XXII - Procurement of Recovered Materials

All subrecipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXIII - Contract Provisions for Non-federal Entity Contracts under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

1. Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
2. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
3. Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
4. Davis-Bacon Act, as amended (40 U.S.C 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federal Financed and Assisted Construction"). In accordance with the statute, contracts must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of wage determination. The non-Federal entity must report all suspected or reported violations to the

Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

5. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C 3704 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchase of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
6. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR 401.2(a) and the recipient or subrecipient wishes to enter into a contract with small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
7. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended- Contract and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Article XXIV - SAFECOM

All subrecipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXV - Terrorist Financing E.O. 13224

All subrecipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

Article XXVI - Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)

All subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XXVII - Trafficking Victims Protection Act of 2000

All subrecipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

Article XXVIII - Rehabilitation Act of 1973

All subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Article XXIX - USA Patriot Act of 2001

All subrecipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c.

Article XXX - Use of DHS Seal, Logo and Flags

All subrecipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XXXI - Whistleblower Protection Act

All subrecipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article XXXII - SEMA Specific Acknowledgements and Assurances

All subrecipients must acknowledge and agree to comply with applicable provisions governing SEMA access to records, accounts, documents, information, facilities, and staff.

1. Subrecipients must cooperate with any compliance review or complaint investigation conducted by SEMA.
2. Subrecipients must give SEMA access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by SEMA regulations and other applicable laws or program guidance.
3. Subrecipients must submit timely, complete, and accurate reports to the appropriate SEMA officials and

maintain appropriate backup documentation to support the reports. Future awards and fund drawdowns may be withheld if these reports are delinquent.

4. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the SEMA.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the SEMA Component and/or awarding office. The United States has the right to seek judicial enforcement of these obligations.

Article XXXIII- Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by SEMA, you must request instructions from SEMA to make proper disposition of the equipment pursuant to 2 C.F.R. §200.313.

Article XXXIV - Prior Approval for Modification of Approved Budget

Before making any change to the SEMA approved budget for this award, you must request prior written approval from SEMA by requesting a Subaward Adjustment.

Article XXXV - Incorporation by Reference of Notice of Funding Opportunity

The Notice of Funding Opportunity for this program is hereby incorporated into your award agreement by reference. By accepting this award, the sub-recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained under the 2018 Notice of Funding Opportunity and the Missouri 2018 EMPG Program Manual.

Article XXXVI – Federal Leadership on Reducing Text Messaging while Driving

All subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XXXVII – National Environmental Policy Act

All subrecipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXXVIII – Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statute, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXXIX – Acceptance of Post Award Changes

In the event SEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article XXXX – Other Specific Conditions

1. Sub-recipients are required to ensure that all EMPG funded personnel complete the following DHS/FEMA training courses within twelve (12) months of hire and record proof of completion, IS 100, IS 120, IS 200, IS 230, IS 235, IS 240, IS 241, IS 242 IS 244, IS 700, IS 800 and L-146 HSEEP*.
2. Sub-Recipients of 2018 EMPG funding are required to ensure that all EMPG funded personnel actively participate in three (3) exercises during the performance period. Jurisdictions must identify planned quarterly activity to meet these requirements on the 2018 EMPG application and Status Reports. Failure to comply with this requirement could result in claim payments being held until the requirement is met.
3. Subrecipients are required to use WebGrants (<https://dpsgrants.dps.mo.gov/>) to submit Quarterly Status Reports and Claim Requests. Sub-recipients are encouraged to submit Claim Requests throughout the quarter to allow for more up-to-date tracking of grant progress and prevent reimbursement delays.

Status Reports and Claim Requests for each billing period are due to SEMA as follows:

- a. Quarter 1 (January 1 to March 31) and Quarter 2 (April 1 to June 30): Due July 15, 2018
 - b. Quarter 3 (July 1 to September 30): Due October 15, 2018
 - c. Quarter 4 (October 1 to December 31): Due January 31, 2019
4. Subrecipients must maintain an annual Training and Exercise Plan (TEP) and participate in Threat and Hazard Identification and Risk Assessment (THIRA) updates.

*EMPG funded exercise officers and management personnel involved in the design and evaluation of exercises must complete L-146 HSEEP within 24 months of hire and record proof of completion.

EXECUTIVE OFFICE

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office: SEP 18 2018
 Res/Ord No.: 5154
 Sponsor(s): Crystal Williams
 Date: September 24, 2018

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Requesting an Ordinance appropriating \$113,620.29 from the undersigned fund balance of the 2018 Grant fund in acceptance of the Emergency Management Performance Grant (EMPG) awarded to Jackson County Department of Emergency Preparedness by Missouri State Emergency Management Agency (SEMA)</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$113,620.29</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$113,620.29</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> </tr> <tr> <td>Source of funding (name of fund) and account code number, FROM / TO</td> <td>FROM ACCT 110 Grant Fund 2810 Undesignated Fund Balance TO ACCT 010-1250 EMPG \$113,620.29</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): 112,816.76 Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$113,620.29	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$113,620.29	Amount budgeted for this item * (including transfers):		Source of funding (name of fund) and account code number, FROM / TO	FROM ACCT 110 Grant Fund 2810 Undesignated Fund Balance TO ACCT 010-1250 EMPG \$113,620.29
Amount authorized by this legislation this fiscal year:	\$113,620.29										
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:	\$113,620.29										
Amount budgeted for this item * (including transfers):											
Source of funding (name of fund) and account code number, FROM / TO	FROM ACCT 110 Grant Fund 2810 Undesignated Fund Balance TO ACCT 010-1250 EMPG \$113,620.29										
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): <u>#4084 Feb 2, 2009 (\$59,951) #4213 June 14, 2010 (\$124,260) #4364 Oct 10, 2011 (\$133,200) #4483 Nov 11, 2012 (\$136,143) #4571 Sept 30, 2013 (\$123,317.26) #4654 August 25, 2014 (\$117,885) #Dec 14, 2015 (\$94,671.00) #4897 June 22, 2016 (\$146,537.41)</u></p> <p>Prior resolutions and (date):</p>										
<p>CONTACT INFORMATION</p>	<p>Michael Curry /Director Emergency Preparedness 816-881-4625 RLA drafted by (name, title, & phone):</p>										
<p>REQUEST SUMMARY</p>	<p>Requesting an Ordinance appropriating \$113,620.29 from Undesignated Fund Balance of the 2018 Grant Fund in acceptance of the Emergency Management Performance Grant (EMPG) awarded to Jackson County Department of Emergency Preparedness by SEMA. The EMPG grant is a performance based grant that is reviewed and paid by quarter. The intent of the award is to assist in funding the department of Emergency Preparedness of Jackson County. The grant is a match grant and is reviewed annually. Grant ID 79188/EMK-2018-EP-00003-049</p>										

	TO: 010-Grant Fund :1250 Emergency Management Performance- 5010 Regular Salary \$69,400 TO:010- Grant Fund: 1250 Emergency Management Performance – 5040 FICA \$3916.50 TO: 010-Grant Fund 1250 Emergency Management Performance – 5050 Pension \$10,244.50 TO:: 010-Grant Fund ; 12250 Emergency Management Performance – 55060 Insurance \$4053.26 TO: 010- Grant Fund :1250 Emergency Management Performance – 56620 Rent \$16950.00 TO:010-Grant Fund: 1250 Emergency Management Performance – 56641 Copier \$2260.00 TO: 010 Grant Fund : 1250 Emergency Management Performance- Other Contract Service \$1,674.00 TO: 010 Grant Fund ; 1250 Emergency Management Performance – 56530 Vehicle Maint \$1,930.15 TO 010 Grant Fund ; 1250 Emergency Management Performance – 57010 Office Supplies \$1,200.00 TO: 010 Grant Fund: 1250 Emergency Management Performance -58171 Personal Computer \$600.00 TO: 010 Grant Fund: 1250 Emergency Management Performance – 57110 Fuel \$1,391.88	
Clearance	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Grant Award Documents dated August 15, 2018 from SEMA	
REVIEW	Department Director: Michael Curry <i>Michael Curry</i>	Date: 9-17-18
	Finance (Budget Approval): If applicable <i>Paul M...</i>	Date: 9/18/18
	Division Manager: <i>...</i>	Date: 9.18.18
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
010-2810	Grant Fund –Undesignated Fund Balance	\$113,620.29

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: September 18, 2018

ORD # 5154

<u>Department / Division</u>	<u>Character/Description</u>	<u>From</u>	<u>To</u>
Grant Fund - 010			
1250 - Emergency Mgmt Performance	45752 - Increase Revenues	113,621	
2810	Undesignated Fund Balance		113,621
2810	Undesignated Fund Balance	113,621	
1250 - Emergency Mgmt Performance	55010 - Salary		69,400
1250 - Emergency Mgmt Performance	55040 - FICA		3,917
1250 - Emergency Mgmt Performance	55050 - Pension		10,245
1250 - Emergency Mgmt Performance	55060 - Insurance		4,053
1250 - Emergency Mgmt Performance	56620 - Building Rent		16,950
1250 - Emergency Mgmt Performance	56641 - Copier Lease		2,260
1250 - Emergency Mgmt Performance	56790 - Other Contractual Services		1,674
1250 - Emergency Mgmt Performance	56530 - Vehicle Maintenance		1,930
1250 - Emergency Mgmt Performance	57010 - Office Supplies		1,200
1250 - Emergency Mgmt Performance	58171 - Personal Computer		600
1250 - Emergency Mgmt Performance	57110 - Fuel		1,392

 9/18/18
Budgeting

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$5,661.00 from the undesignated fund balance of the 2018 Special Road and Bridge Fund in acceptance of insurance proceeds for the repair of a vehicle for use by the Sheriff's Office.

ORDINANCE NO. 5155, September 24, 2018

INTRODUCED BY Alfred Jordan, County Legislator

WHEREAS, the County has received a payment from Progressive Insurance representing the cost of repairs to a Sheriff's Office patrol vehicle damaged as a result of a motor vehicle accident that occurred on June 27, 2018; and,

WHEREAS, an appropriation is necessary to place the insurance payment in the proper spending account so that the funds may be used to repair the vehicle; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2018 Special Road and Bridge Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Special Road and Bridge Fund			
004-9999	47040 - Increase Revenues	\$5,661	
004-2810	Undesignated Fund Balance		\$5,661
004-2810	Undesignated Fund Balance	\$5,661	
Sheriff			
004-4201	56530 – Maint & Repair Auto		\$5,661

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5155 introduced on September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5155.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 004 2810
ACCOUNT TITLE: Special Road and Bridge Fund
Undesignated Fund Balance
NOT TO EXCEED: \$5,661.00

9/20/18

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Completed by County Clerk's Office: **EXECUTIVE OFFICE**
 Res/Ord No.: 5155
 Sponsor(s): Alfred Jordan
 Date: September 24, 2018
SEP 18 2018

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Requesting an ordinance appropriating \$5,660.44 from an insurance settlement for a 2013 Ford Explorer patrol vehicle from the 004 undesignated fund balance to line item 004-4201-56530.</u>												
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="313 541 1195 978"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$5,660.44</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$5,660.44</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM: Undesignated fund balance 004</td> <td>FROM ACCT \$5,660.04</td> </tr> <tr> <td>TO: Road & Bridge Fund – Sheriff 004-4201-56530 – Maint & Repair – Auto Equipment</td> <td>TO ACCT \$5,660.44</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Sheriff's Office Estimated Use:</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$5,660.44	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$5,660.44	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number; FROM: Undesignated fund balance 004	FROM ACCT \$5,660.04	TO: Road & Bridge Fund – Sheriff 004-4201-56530 – Maint & Repair – Auto Equipment	TO ACCT \$5,660.44
Amount authorized by this legislation this fiscal year:	\$5,660.44												
Amount previously authorized this fiscal year:	\$0												
Total amount authorized after this legislative action:	\$5,660.44												
Amount budgeted for this item * (including transfers):	\$0												
Source of funding (name of fund) and account code number; FROM: Undesignated fund balance 004	FROM ACCT \$5,660.04												
TO: Road & Bridge Fund – Sheriff 004-4201-56530 – Maint & Repair – Auto Equipment	TO ACCT \$5,660.44												
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date)												
CONTACT INFORMATION	RLA drafted by Devyn Horsley, Administrative Specialist, 816-541-8017												
REQUEST SUMMARY	The Sheriff's Office requests an ordinance appropriating \$5,660.44 from 004 undesignated fund balance to line item 004-4201-56530 to repair damage to a 2013 Ford Explorer patrol vehicle. Funds were received from Progressive Insurance via check for claim number 18-4037643 for the accident that occurred on 6/27/18. The Sheriff's Office requests the transfer of \$5,660.44 as follows: <table data-bbox="305 1709 1422 1801"> <tr> <td>004</td> <td>FROM:</td> <td>TO:</td> </tr> <tr> <td>004-4201-56530 – Maint & Repair – Auto Equipment</td> <td>\$5,660.44</td> <td>\$5,660.44</td> </tr> </table>	004	FROM:	TO:	004-4201-56530 – Maint & Repair – Auto Equipment	\$5,660.44	\$5,660.44						
004	FROM:	TO:											
004-4201-56530 – Maint & Repair – Auto Equipment	\$5,660.44	\$5,660.44											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)												

ATTACHMENTS	Copy of Progressive Insurance check	
REVIEW	Department Director:	Date: 9/18/18
	Finance (Budget Approval): If applicable	Date: 9/18/18
	Division Manager:	Date: 9.18.18
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in ____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
004-9999-47040	Road + Bridge - Reimb Dmg Claim	5,661

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

PROGRESSIVE
PO BOX 512926
LOS ANGELES, CA 90051

PROGRESSIVE®

JACKSON COUNTY
ATTN: SARAH MATTHES
415 E 12TH ST STE 105
KANSAS CITY, MO 64106-2706


DRAFT NUMBER: 2022823690

AMOUNT: \$*****5,660.44

ISSUE DATE: September 11, 2018

Form Z721 (06/15)

KEEP THIS TOP PORTION FOR YOUR RECORDS

PROGRESSIVE® PAYABLE THROUGH PNC BANK, N.A. 070 ASHLAND, OH 1-877-448-9544	VOID IF NOT PRESENTED WITHIN 90 DAYS	DRAFT NUMBER: 2022823690	56-389
	CLAIM NUMBER: 18-4037643 NAME: JACKSON COUNTY MISSD., URI	September 11, 2018	412
FIVE THOUSAND, SIX HUNDRED SIXTY AND 44/100 *****		PAY EXACTLY	\$*****5,660.44
PAY TO THE ORDER OF: JACKSON COUNTY	Progressive Casualty Insurance Company		
	BY:		AUTHORIZED SIGNATURE



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$7,000.00 from the undesignated fund balance of the 2018 Grant Fund in acceptance of the Sheriff's Office's DWI Supplemental Saturation Patrol Enforcement grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute an amended contract with the Missouri Highway Safety Division for the expenditure of grant funds.

ORDINANCE NO. 5156, September 24, 2018

INTRODUCED BY Alfred Jordan, County Legislator

WHEREAS, the Missouri Department of Transportation, Traffic and Highway Safety Division, has awarded additional funding to the Sheriff's Office for the DWI Saturation Patrol Enforcement grant in the amount of \$7,000.00, for the period October 1, 2017, through September 30, 2018; and,

WHEREAS, the Sheriff's Office is targeting impaired drivers through DWI sobriety checkpoints, including multijurisdictional projects throughout Jackson County; and,

WHEREAS, the Sheriff recommends the use of the additional grant funds for reimbursement of overtime used for establishing sobriety checkpoints and other alcohol-enforcement activities; and,

WHEREAS, an appropriation is necessary to place the additional grant funds in the appropriate spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2018 Grant Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund DWI Saturation Enforcement			
010-4273	45897 - Increase Revenues	\$7,000	
010-2810	Undesignated Fund Balance		\$7,000
010-2810	Undesignated Fund Balance	\$7,000	
010-4273	55030 – Overtime Salaries		\$6,408
010-4273	55040 - FICA		\$ 592

and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached amended contract with the Missouri Department of Transportation, Traffic and Highway Safety Division.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5156 introduced on September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No.5156.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 010 2810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$7,000.00

9/20/18

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 5156

Sponsor(s): Alfred Jordan

Date: September 24, 2018

<p>SUBJECT</p>	<p>Action Requested: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Acceptance and execution of an amended contract providing additional funding for Saturation Patrol Overtime provided by the Department of Highway Traffic Safety a division of Missouri Department of Transportation, in the amount of \$17,314.00. The represents an addition in funding of \$7000.00 is comparison to the original contract executed on 09/25/2017, in the amount of \$10,314.00.</p>																
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$7,000.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$10,314.00</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$17,314.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM: Grant Fund – 010; Undesignated Fund Balance – 4268 2810</td> <td>FROM ACCT \$ \$7,000.00</td> </tr> <tr> <td>TO: Grant Fund 010 DWI Saturation Enforcement 4282 4273</td> <td>TO ACCT</td> </tr> <tr> <td>Overtime – 55030</td> <td>\$6,408.00</td> </tr> <tr> <td>FICA – 55040</td> <td>\$592.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): \$30,000.00 Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$7,000.00	Amount previously authorized this fiscal year:	\$10,314.00	Total amount authorized after this legislative action:	\$17,314.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM: Grant Fund – 010; Undesignated Fund Balance – 4268 2810	FROM ACCT \$ \$7,000.00	TO: Grant Fund 010 DWI Saturation Enforcement 4282 4273	TO ACCT	Overtime – 55030	\$6,408.00	FICA – 55040	\$592.00
Amount authorized by this legislation this fiscal year:	\$7,000.00																
Amount previously authorized this fiscal year:	\$10,314.00																
Total amount authorized after this legislative action:	\$17,314.00																
Amount budgeted for this item * (including transfers):	\$																
Source of funding (name of fund) and account code number; FROM: Grant Fund – 010; Undesignated Fund Balance – 4268 2810	FROM ACCT \$ \$7,000.00																
TO: Grant Fund 010 DWI Saturation Enforcement 4282 4273	TO ACCT																
Overtime – 55030	\$6,408.00																
FICA – 55040	\$592.00																
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): 5026 Prior resolutions and (date): September 25th, 2017</p>																
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Sgt. Doug Blodgett TSU Sergeant: 816-524-4302 x 72240</p>																
<p>REQUEST SUMMARY</p>	<p>Accept, appropriate, and execute an amended agreement between Highway Traffic Safety Division of Missouri Department of Transportation, providing additional funding for saturation patrol overtime. Original execution of the contract #18-154-AL-108 was in the amount of \$10,314.00, amended contract provides \$17,314.00. This legislative action authorizes the County Executive to execute the amended agreement, thus allowing for allocation of the additional funding</p> <p>The term of this Grant is October 1, 2017 through September 30, 2018.</p>																

	This goal of this grant is to fund the Jackson County Sheriff's Office and the subsequent enforcement action, in an effort to decrease the number of injuries and fatality crashes due to impaired driving.	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	MoDOT contract #18-154-AL-108 MoDOT award letter	
REVIEW	Department Director:	Date: 11 Sept 2018
	Finance (Budget Approval): If applicable	Date: 9/20/18
	Division Manager:	Date: 9.20.18
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
010-2810	Grant Fund – Undesignated Fund Balance	\$7,000.00

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Missouri Department of Transportation

Highway Safety and Traffic

830 MoDOT Drive
P.O. Box 270
Jefferson City, MO 65102
573-751-4161
1-800-800-2358
Fax: 573-634-5977

September 05, 2018

Colonel Ben Kenney
Jackson County Sheriff's Office
4001 NE Lakewood Court
Lee's Summit, MO 64064-1703

Dear Colonel Kenney:

Enclosed is a **revised contract** between the Highway Safety and Traffic Division and the Jackson County Sheriff's Office for the DWI Saturation Enforcement contract.

The project obligates \$17,314.00 in federal funds for the period October 01, 2017 through September 30, 2018. All expenditures should be claimed against the project #18-154-AL-108.

Please review this contract carefully for any discrepancies or questions. If acceptable, have the appropriate individuals sign the Contract Cover Page. The Authorizing Official and Project Direct signatures on the contract must be signed by two separate individuals. After signing, please return **all pages** of the contract to the Highway Safety and Traffic Division. Once the Highway Safety Director approves and signs the revised contract, a fully executed copy will be returned to your agency.

If you have any questions concerning the project activity or reimbursement procedures, please contact Scott Wilson, Senior System Management Specialist, at 573-751-4161. We look forward to working with you and your staff.

Sincerely,

A handwritten signature in black ink that reads "Jon Nelson". The signature is fluid and cursive, with the first name "Jon" being more prominent than the last name "Nelson".

Jon Nelson
Asst. to State Highway Safety Traffic Engineer

Enclosure



CONTRACT

Form HS-1 **Revision Reason:** Budget Increase **Version:** 3 08/10/2018

**Missouri Department of Transportation
Highway Safety and Traffic Division**
P.O. Box 270
830 MoDOT Drive
Jefferson City, MO 65102
Phone: 573-751-4161
Fax: 573-634-5977

Project Title: DWI Saturation Enforcement
Project Number: 18-154-AL-108
Project Category: Transfer
Program Area: 154/164 Alcohol

Name of Grantee
Jackson County Sheriff's Office

Funding Source: 154 AL / 20.607

Grantee County
Jackson

Type of Project: Initial

Started: 10/01/2017

Grantee Address
4001 NE Lakewood Court

Lee's Summit, MO 64064-1703

Federal Funds Benefiting

State: _____

Local: _____ \$17,314.00

Total: _____ \$17,314.00

Source of Funds

Federal: _____ \$17,314.00

State: _____

Local: _____ \$0.00

Total: _____ \$17,314.00

Telephone
816-524-4302

Fax
816-795-1969

Contract Period
Effective: 10/01/2017
Through: 09/30/2018

Prepared By
Wilson, Scott

Authorizing Official **Date** *1/20/2018*

Project Director **Date**

Asst. to State Highway Safety Traffic Engineer **Date**

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$17,314.00**; the recipient of funds shall proceed with the implementation of the program as detailed in attached forms (which become part of this agreement) and shall adhere to conditions specified in attachments (which become part of this agreement); all Federal and State of Missouri laws and regulations are applicable and any addendums or conditions thereto shall be binding; any facilities and/or equipment acquired in the connection with this agreement shall be used and maintained for highway safety purposes; the recipient of funds must comply with the Title VI of the Civil Rights Act of 1964, and the Federal Funds from other sources, excluding Federal Revenue Sharing Funds, will not be used to match the Federal funds obligated to this project.

IN ORDER TO RECEIVE FEDERAL FUNDING, THE SUBRECIPIENT AGREES TO COMPLY WITH THE FOLLOWING CONDITIONS IN ADDITION TO THOSE OUTLINED IN THE NARRATIVE OF THE CONTRACT.

I. RELATIONSHIP

The relationship of the Subrecipient to the Missouri Highways and Transportation Commission (MHTC) shall be that of an independent contractor, not that of a joint enterpriser. The Subrecipient shall have no authority to bind the MHTC for any obligation or expense without the express prior written approval of the MHTC. This agreement is made for the sole benefit of the parties hereto and nothing in the Agreement shall be construed to give any rights or benefits to anyone other than the MHTC and the Subrecipient.

II. GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 - Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 - Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

III. INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

IV. EQUIPMENT

A. PROCUREMENT: Subrecipient may use its own procurement regulations which reflect applicable state/local laws, rules and regulations provided they adhere to the following:

1. Equipment with a cost of \$3,000 or more must be purchased on a competitive bid basis, or purchased through use of state cooperative procurement;
2. Price or rate quotations shall be solicited from at least three (3) qualified sources;
3. All procurement transactions, regardless of whether by sealed bids or by negotiation, shall be conducted in a manner that provides maximum open and free competition;
4. Subrecipients shall have a clear and accurate description of the item to be purchased. Such description shall not, in competitive procurements, contain features that unduly restrict competition. A "brand name or equal" description may be used as a means to define the performance or other requirement of a procurement;
5. If for some reason the low bid is not acceptable, the Subrecipient must have written approval from the MHTC prior to bid approval and purchase.
6. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services.

B. DISPOSITION: The Subrecipient shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$5,000 or more. Subrecipient must keep and maintain equipment with a cost of under \$5,000 until it is no longer useful for its originally intended purpose.

C. REPLACEMENT: No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the Subrecipient's previous twelve months authorized strength .

V. FISCAL RESPONSIBILITY

A. MAINTENANCE OF RECORDS: The Subrecipient agrees that the Commission and/or its designees or representatives shall have access to all records related to the grant. The Subrecipient further agrees that the Missouri Department of Transportation (MoDOT) Highway Safety and Traffic (HS) Division, the National Highway Traffic Safety Administration (NHTSA), the Federal Highway Administration (FHWA) and/or any Federal audit agency with jurisdiction over this program and the Auditor of the State of Missouri or any of their duly authorized representatives may have access, for purpose of audit and examinations, to any books, documents, papers or records maintained by the Subrecipient pertaining to this contract and further agrees to maintain such books and records for a period of three (3) years following date of final payments.

B. REIMBURSEMENT VOUCHER, SUPPORTING DOCUMENTATION AND PAYMENT SCHEDULE: The MHTC agrees to reimburse the Subrecipient for accomplishment of all authorized activities performed under this contract. Reimbursement proceedings will be initiated upon the receipt of a claim voucher and supporting documentation from the Subrecipient, as required by the MHTC. The voucher must reflect actual costs and work accomplished during the project period, to be submitted on the appropriate MHTC certified payroll form or in a format approved by the MHTC, and shall include project number, project period, hours worked, rate of pay, any other allowable expenditures, and must be signed by the person preparing the voucher and the project director or authorizing official. Vouchers should be received by the MHTC within ten (10) working days from the date of the authorizing official/project director's signature. Final payment is contingent upon receipt of final voucher. **AUDITS:** Subrecipient will be responsible for the required supporting documentation no later than 30 days after the end of the contract period.

C. ACCOUNTING: The Subrecipient shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in questioned costs. The Subrecipient must document the following: (1) Receipt of federal funds, (2) date and amount paid to employees, (3) employee's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.

D. OMB AUDIT: A subrecipient that expends \$750,000 or more during the subrecipient's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of 2 CFR §200.501. A copy of the Audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. A subrecipient that expends less than \$750,000 during the subrecipient's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO). Failure to furnish an acceptable audit may be basis for refunding federal funds to the MHTC. Cost records and accounts pertaining to the work covered by this contract shall be kept available for inspection for representatives of the MHTC for a period of three (3) years following date of final payments. Copies of such records shall be made available upon request.

VI. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010,

(https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- A. Name of the entity receiving the award;
- B. Amount of the award;
- C. Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance (or "Assistance Listings") number (where applicable), program source;
- D. Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- E. A unique identifier (DUNS);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
 - 1. the entity in the preceding fiscal year received-
 - a. 80 percent or more of its annual gross revenues in Federal awards;
 - b. \$25,000,000 or more in annual gross revenues from Federal awards; and
 - 2. the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- G. Other relevant information specified by OMB guidance.

VII. TERMINATION

If, through any cause, the Subrecipient shall fail to fulfill in timely and proper manner its obligation under this contract, or if the Subrecipient shall violate any of the covenants, agreements or stipulations of this contract, the MHTC shall thereupon have the right to terminate this contract and withhold further payment of any kind by giving written notice to the Subrecipient of such termination and specifying the effective date thereof, at least thirty (30) days before such date. The MHTC shall be the sole arbitrator of whether the Subrecipient or its subcontractor is performing its work in a proper manner with reference to the quality of work performed by the Subrecipient or its subcontractor under the provisions of this contract. The Subrecipient and the MHTC further agree that this contract may be terminated by either party by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before such date.

VIII. NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100).

The State highway safety agency-

1. Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
2. Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
3. Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
4. Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
5. Insert in all contracts and funding agreements with other State or private entities the following clause:

During the performance of this contract/funding agreement, the contractor/funding recipient agrees-

1. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
2. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
3. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State Office of Highway Safety, US DOT or NHTSA;

4. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
5. To insert this clause, including paragraphs 1 through 5, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement that receives Federal funds under this program.

IX. STATUTORY AND REGULATORY REQUIREMENTS

A. COMPLIANCE: The Subrecipient must comply with the following Statutes or Rules:

1. Peace Officer Standards and Training (P.O.S.T.) Chapter 590 RSMo Department of Public Safety (DPS) certification of peace officers
2. Statewide Traffic Accident Records System (STARS) 43.250 RSMo—Law enforcement officer to file all crash reports with Missouri State Highway Patrol (MSHP).
4. Uniform Crime Reporting RSMo 43.505-Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
5. Racial Profiling RSMo 590.650-Law enforcement agency to file a report to the Attorney General each calendar year.
6. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201 beginning with the federal fiscal year 2016: starting October 1, 2015.

X. PRODUCTION & DEVELOPMENT COSTS Items produced with federal funds are within the public domain and are not bound by copyright restrictions. All items produced with federal funds, in whole or in part, must acknowledge this by clearly indicating that MoDOT Highway Safety and Traffic funding supported this effort. Examples may include, but are not limited to print materials; audio/video productions; and training aides such as curricula or workbooks. Any materials developed under this contract must be submitted to the MHTC for approval prior to final print and distribution. Copies of all final products are to be provided to the MHTC. The MHTC has the right to reproduce and distribute materials as the MHTC deems appropriate.

XI. INDEMNIFICATION Option 1 below only applies to State agencies, Cities, Counties and other political subdivisions or political corporations of the State of Missouri. Option 2 applies to all other entities (e.g. non-profit, private institutions).

OPTION 1:

A. To the extent allowed or imposed by law, the Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and MoDOT employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Subrecipient's wrongful or negligent performance of its obligations under this Agreement. The Subrecipient may satisfy this requirement utilizing a self-funded program.

B. The Subrecipient will require any contractor procured by the Subrecipient to work under this Agreement:

1. To obtain a no cost permit from the MHTC's district engineer prior to working on the MHTC's right-of-way, which shall be signed by an authorized contractor representative (a permit from the MHTC's district engineer will not be required for work outside of the MHTC's right-of-way); and
2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the MHTC, and the MoDOT and its employees, as additional named insured's in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

C. In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

OPTION 2:

The Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and the MoDOT employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Subrecipient's performance of its obligations under this Agreement.

XII. AMENDMENTS The Budget Proposal within this Agreement may be revised by the Subrecipient and the MHTC subject to the MHTC's approval without a signed amendment as long as the total contract amount is not altered . Prior to any revision being made to the Budget Proposal, Subrecipient shall submit a written request to the MHTC requesting the change. Any other change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the Subrecipient and the MHTC.

XIII. MHTC REPRESENTATIVE The MoDOT Highway Safety and Traffic Division Director is designated as the MHTC's representative for the purpose of administering the provisions of this Agreement . The MHTC's representative may designate by written notice other persons having the authority to act on behalf of the MHTC in furtherance of the performance of this Agreement.

XIV. ASSIGNMENT The Subrecipient shall not assign, transfer, or delegate any interest in this Agreement without the prior written consent of the MHTC.

XV. LAW OF MISSOURI TO GOVERN This Agreement shall be construed according to the laws of the State of Missouri . The Subrecipient shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

XVI. VENUE It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

XVII. SECTION HEADINGS All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement .

XVIII. NONSEGREGATED FACILITIES

(Applicable to contracts over \$10,000) Subrecipient and its subcontractors, suppliers and vendors, should meet Federal requirements regarding nonsegregated facilities.

XIX. FUNDING ORIGATION AND AUDIT INFORMATION

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>CFDA#</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
164	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs

*The Highway Safety and Traffic Division is aware of the pending 2018 change in CFDA numbers to Assistance Listings. At the time of this contract preparation, the final format of revised CFDA/Assistance Listings was not available from the U.S. General Services Administration (GSA). Once final CFDA numbers are available, the Highway Safety and Traffic Division will provide them via memo.

XX. THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

- A.** Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B.** Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace.
 2. The Subrecipient's policy of maintaining a drug-free workplace.
 3. Any available drug counseling, rehabilitation, and employee assistance programs.
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (A).

- C. Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of the statement.
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- D. Notifying the agency within ten days after receiving notice under subparagraph (C)(b) from an employee or otherwise receiving actual notice of such conviction.
- E. Taking one of the following actions, within 30 days of receiving notice under subparagraph (C)(b), with respect to any employee who is so convicted:
 - a. Taking appropriate personnel action against such an employee, up to and including termination.
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- F. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**XXI. POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**XXII. CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**XXIII. RESTRICTION ON STATE LOBBYING
(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

XXIV. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(applies to subrecipients as well as States)

Instructions for Primary Certification (States)

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph F of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions:

- 1. The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

CONTRACT CONDITIONS - PAGE 9

- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph E of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

XXV. BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

All items purchased must be compliant with the National Highway Traffic Safety Administration (NHTSA) interpretation of the Buy America Act including, but not limited to:

1. Items valued over \$5,000 per unit must be manufactured or assembled in the United States of America, or as allowed by a current Buy America Act waiver issued by the NHTSA;
2. All vehicles must be manufactured or assembled in the United States of America regardless of cost.

www.nhtsa.gov/staticfiles/administration/programs-grants/Buy-America-Act-revised-11202015.pdf

XXVI. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

XXVII. POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Subrecipient is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at www.trafficsafety.org.

XXVIII. POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

CONTRACT REQUIREMENTS

THE FOLLOWING REQUIREMENTS ONLY APPLY TO CONTRACTS THAT INCLUDE TRAINING

Subrecipients offering the MHTC-funded courses must adhere to the following standard elements required for training contracts:

- A. A course schedule must be presented to the MHTC program coordinator prior to the proposed training . The schedule should include: title of course; date(s); time; exact location; and agenda. Any changes to the course schedule must have prior approval from the MHTC.
- B. Each student must complete a survey form at the completion of the workshop/training. The survey will ask a series of questions concerning adequacy of: training received; instructor's presentation; training facility/location; and worth of the training.
- C. The Subrecipient must provide a sign-up sheet for every class when submitting a reimbursement request for the course (a typed list of everyone who registered is not acceptable). The sign-up sheet must capture the following information:
 1. Title of the class
 2. Date(s) and location of class
 3. Printed Name and signature of attendees (unless otherwise prohibited)
 4. Name of agency/organization of each attendee
- D. To ensure cost effectiveness, every effort should be made to enroll a minimum of fifteen (15) students per class.
- E. Copies of the student evaluations, number of students enrolled/number of students attending, agenda/syllabus/curriculum, and participant sign-up sheets must be retained in Subrecipient's files after the training has been conducted and available for MHTC review upon request.

THE FOLLOWING REQUIREMENTS APPLY TO LAW ENFORCEMENT AGENCIES ONLY

A. PROBLEM IDENTIFICATION

Subrecipient must develop a selected traffic enforcement plan by evaluating crash data involving fatal , disabling and moderate injuries. This will be done on an annual basis to determine the highest crash locations, to include: month of year, day of week, time of day, and causation factors. This plan must be used to determine locations utilized in site selection for conducting enforcement efforts . Any changes to the enforcement plan must be made in writing to the MHTC project coordinator in advance of enforcement efforts.

B. PROJECT ACTIVITIES

1. Enforcement activities by the Subrecipient must remain at the current level. Enforcement efforts provided by this contract must be in addition to current enforcement activities.
2. Officers will be permitted to issue multiple citations and/or written warnings to drivers who have committed several violations.
3. High visibility enforcement is a key strategy to reducing traffic crashes ; therefore, law enforcement officers working overtime projects are strongly encouraged to make at least three (3) contacts per hour when conducting an enforcement project.
4. Subrecipient should report monthly or at least quarterly to MHTC using the *Grant Enforcement Activities Monthly Report Form*.
5. Subrecipient is strongly encouraged to participate in all national or state mobilization efforts in conjunction with , or at the direction of, the Highway Safety and Traffic Division. These mobilizations include, but are not limited to: Click It or Ticket campaign, Drive Sober or Get Pulled Over campaign, Youth Seat Belt enforcement campaign, Child Passenger Safety campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejis.org/>.
6. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.
7. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant in excess of 40 hours for any two week pay period. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

C. PARTNERSHIPS

Law Enforcement agencies are strongly encouraged to participate in the Law Enforcement Traffic Safety Advisory Council (LETSAC) and attend the general meetings and annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact (traffic safety task force).

D. ALLOWABLE COSTS

Full-time, part-time and reserve officers are eligible to participate in overtime enforcement projects . Part-time and reserve officers must have the same authority as a full-time permanent officer. MHTC will reimburse Subrecipient at officer's standard rate of pay in accordance with Subrecipient policies and procedures regarding standard rate of pay and overtime rate of pay. The Subrecipient will not be reimbursed at the overtime rate for work that according to Subrecipient's own policies and procedures does not constitute overtime. Non-POST certified personnel may be allowed, at the sole discretion of MHTC, in a support/administrative role.

Exceptions to allowable costs may be made with prior written permission of the MHTC.

E. DRUNK DRIVING ENFORCEMENT PROJECTS

1. Those officers conducting standardized field sobriety testing must have 24 hours of Standardized Field Sobriety Test training to participate in grant funded enforcement efforts .
2. Agency should participate in quarterly enforcement efforts and the national impaired driving crackdown held annually.

F. SOBRIETY CHECKPOINTS

Unless otherwise prohibited by state statute or appropriation,

1. The MHTC will fund enforcement agencies to conduct sobriety checkpoints in accordance with standards outlined in the Sobriety Checkpoint Reference Manual and the Sobriety Checkpoint Supervisor Training program .
2. Sobriety checkpoint enforcement efforts must be coupled with appropriate public information efforts to increase the perceived risk of arrest and to enhance the actual risk of arrest.
3. Enforcement statistics and the agency's sobriety checkpoint operations plan must be submitted with reimbursement vouchers.

PROBLEM IDENTIFICATION

Alcohol and other drugs contribute substantially to traffic crashes on Missouri's roads, particularly those resulting in death or serious injury. In the 2012-2014 period, 414,173 traffic crashes occurred in the state. Of those, 0.5% resulted in a fatality and 2.9% involved someone being seriously injured. During the same time period, there were 19,161 traffic crashes where one or more drivers, pedestrians, and/or bicyclists were under the influence of intoxicants and in the opinion of the investigating officer their intoxicated condition was a contributing factor to the crash. In these crashes where drivers, pedestrians or bicyclists were impaired by alcohol or other drugs, 689 people were killed and another 2,447 were seriously injured. It also is important to note that substance-impaired driving is under-reported as a contributing factor in traffic crashes. This under-reporting is due to drivers undergoing injuries sustained from crashes without being tested for blood alcohol content. Also, some forms of drug impairment may not be apparent to officers on the scene. As a result, it is an even greater problem than these statistics would indicate. In addition, 86.1% of substance-impaired drivers killed also failed to wear a safety belt further compounding the problem of substance-impaired driving.

A common misconception is that substance-impaired drivers are primarily injuring and killing themselves. While that is often true, a substantial number of people killed and seriously injured in these crashes were not intoxicated by alcohol or other drugs. Their actions in these incidents probably did not contribute to the cause of the collision. Of the 689 people killed in alcohol and other drug-related traffic crashes, 71.4% were the substance-impaired drivers/pedestrians/bicyclists and 28.6% were some other involved party. Of the 2,447 seriously injured, 61.8% were the substance-impaired drivers/pedestrians/bicyclists while 38.2% were other persons in the incidents.

Jackson County impaired driving crashes:

2007 - 991
2008 - 933
2009 - 987
2010 - 833
2011 - 832
2012 - 752
2013 - 815
2014 - 688
2015 - 662
2016 - 433

Jackson County impaired driving fatal crashes:

2007 - 20
2008 - 26
2009 - 27
2010 - 10
2011 - 18
2012 - 10
2013 - 13
2014 - 13
2015 - 10
2016 - 10

Viewing the average number of impaired driving related fatalities during the first three years in the charts above to the average of the last three years, it's clear that Jackson County's number of fatal impaired driving traffic crash fatalities has been more than cut in half since 2007.

It's also obvious that over the past four years, the number of impaired driving traffic crashes appear to have "flatlined," with little to no movement up, or down. This may lead some to the flawed perception that "We're doing all we can do".

The TSU refuses to accept that "There just aren't that many drunks out there anymore". As long as impaired driving fatalities remain higher than zero, impaired drivers are to be detected, and arrested.

GOALS/OBJECTIVES

Goal: To decrease fatalities involving drivers with .08 BAC or greater to:

- 271 by 2013
- 258 by 2014
- 246 by 2015
- 233 by 2016

Performance Measure:

Number of fatalities involving drivers with .08 BAC or greater

Benchmark:

2012 fatalities involving drivers with .08 BAC or greater = 283
(246 in 2013, 204 in 2014)

Objectives:

1. Participate in the National Impaired Driving Crackdown campaign
2. Participate in the quarterly impaired driving enforcement campaigns
3. Develop and implement a high visibility DWI enforcement plan involving saturation patrols

Illustrated by the data in the Problem Identification section, Jackson County impaired driving traffic crash fatalities have not yet fallen below 10 in any single year. We can do better. 2016 crash statistics are not yet complete, and 2017 is in progress.

The Traffic Safety Unit Proposes the following goals, to be pursued by TSU and our partners going forward:

2017 (in progress) - 8 or fewer impaired driving fatalities

2018 - 7 or fewer impaired driving fatalities

2019 - 6 or fewer impaired driving fatalities

2020 - 5 or fewer impaired driving fatalities

2021 - 4 or fewer impaired driving fatalities

The cooperative efforts of interested parties have succeeded in the effective reduction of impaired driving traffic crash fatalities, effectively cutting in half the average number of fatalities over the past eight years. If we can cut the number of fatalities in half once, we can certainly make it our goal to do it again.

Identified as highly effective by NHTSA's "Countermeasures that Work" publication, saturation patrols conducted as pre-planned events on a regular basis, and proceeded with media releases are an objective to be used by TSU in pursuit of our goal.

PROJECT DESCRIPTION

Conduct regular, pre-planned saturation patrols. Additional overtime manpower is requested to supplement TSU full-time on-duty manpower during pre-planned saturation patrol operations on Friday and Saturday nights, and on other nights depending on holiday enforcement periods. Overtime hours may also be used by TSU full-time deputies to conduct pre-planned saturation patrol events outside of their regularly scheduled work hours.

SUPPLEMENTAL INFORMATION

<u>Question</u>	<u>Answer</u>
You must answer the following questions.	
1 Does your agency have and enforce an internal safety belt policy for all personnel?	Yes
2 Does your agency have and enforce a policy restricting cell phone use while driving?	Yes
3 Does your agency report racial profiling data annually?	Yes
4 Does your agency report to STARS?	Yes
5 Does your agency report UCR information annually?	Yes
6 Please explain any NO answer(s) to questions 1-5:	
7 Have any of your officers/personnel been debarred and are therefore not eligible to receive federal funds for reimbursement of salary, fringe benefits, or overtime?	No
8 Does your agency have adequate manpower to fully expend the funds requested in this application?	Yes
9 If NO, please explain.	
10 Have any significant changes occurred with your agency within the last year that would affect performance, including personnel or system changes?	No
11 If YES, please explain.	
12 Are you aware of any fraud, waste or abuse on grant projects in your office/agency within the last 5 years?	No
13 If YES, please explain.	
14 If your agency received Highway Safety grant funding in the last three (3) fiscal years and there were unexpended balances, please explain why.	
<p>Unexpended balances in the Traffic Safety Unit salary grant are due to differences in the budgeted salaries of the sergeant and deputies, and the actual salaries of the sergeant and deputies. This can be caused by personnel transfers, the non-occurrence of project possible pay increases, or the lower actual cost of county-paid health insurance versus the budgeted cost.</p> <p>Unexpended balances in the overtime enforcement grants are due to a lack of interest in participation amongst the sworn personnel eligible to work the grant enforcement.</p>	
15 Did your political entity receive more than 80% of its annual gross revenues in Federal Awards in your preceding fiscal year?	No
16 Did your political entity receive \$25,000,000 or more in Federal Awards in your preceding fiscal year?	No

17 If you answered NO to either question 15 and 16, DO NOT answer this question. If you answered YES to both question 15 and 16, and the public does not have access to this information, list the names and compensation amounts of the five most highly compensated employees in your business or organization (the legal entity to which the DUNS number it provided belongs).

Please use the most current 12-months of data available for answering questions 18-23. Include ALL of your agency's statistics, not just those issued during grant activity.

18 Total number of DWI violations written by your agency.	425
19 Total number of speeding violations written by your agency.	1256
20 Total number of HMV violations written by your agency.	2472
21 Total number of child safety/booster seat violations written by your agency.	34
22 Total number of safety belt violations written by your agency.	25
23 Total number of sobriety checkpoints hosted.	8

Use the most current three years crash data from the Missouri State Highway Patrol (MSHP) or your internal record management system for questions 24-34.

24 Total number of traffic crashes.	74139
25 Total number of traffic crashes resulting in a fatality.	369
26 Total number of traffic crashes resulting in a serious injury.	20540
27 Total number of speed-related traffic crashes.	7494
28 Total number of speed-related traffic crashes resulting in a fatality.	53
29 Total number of speed-related traffic crashes resulting in a serious injury.	2104
30 Total number of alcohol-related traffic crashes.	1715
31 Total number of alcohol-related traffic crashes resulting in a fatality.	44
32 Total number of alcohol-related traffic crashes resulting in a serious injury.	699
33 Total number of unbuckled fatalities.	85
34 Total number of unbuckled serious injuries.	1349

Enter your agency's information below.

35 Total number of commissioned law enforcement officers.	97
36 Total number of commissioned patrol and traffic officers.	35
37 Total number of commissioned law enforcement officers available for overtime enforcement.	92

38	Total number of vehicles available for enforcement.	75
39	Total number of radars/lasers.	20
40	Total number of in-car video cameras.	35
41	Total number of PBTs.	15
42	Total number of Breath Instruments.	5

The following information explains the strategies your agency will use to address the traffic crash problem . This information is considered to be the Project Description and should be specific to the crash problem.

43 Identify primary enforcement locations.

The Traffic Safety Unit regularly reviews the MSHP's Traffic Crash Mapping Utility, and selects enforcement locations based upon high concentrations of crashes, and/or impaired driving crashes. Currently, those locations include I-70 and US-40 HWY between Blue Ridge Cutoff and Lee's Summit Road, US-71 HWY, US-350 HWY, 63rd Street, in the Kansas City/Raytown are. It also includes Main Street, Broadway Blvd, I-35, and I-760/I-70 in the midtown Kansas City area. These primary enforcement locations are subject to change based upon the most current traffic crash locations as provided by MSHP's Traffic Crash Mapping Utility.

44 Enter the number of enforcement periods your agency will conduct each month. 1

45 Enter the months in which enforcement will be conducted.

TSU will pre-plan and operate nine saturation patrol events, one per month during the months of September through May. This includes the typically cold winter months, when sobriety checkpoint operations are not typically held.

TSU will not plan or operate saturation patrol events during the months of June through August .

46 Enter the days of the week in which enforcement will be conducted.

Thursday through Saturday evenings, with some exceptions for saturation patrol events to be held on holidays.

47 Enter the time of day in which enforcement will be conducted.

10:00 p.m. to 4:00 a.m., with the exception that during some holiday weekends, earlier saturation patrol may be planned, e.g. saturation patrol from 6:00 p.m. to 11:00 p.m.

48 Enter the number of officers assigned during the enforcement period. 5

49 If equipment or supplies are requested to conduct this project, explain below why it is needed and how it will be used.

PROJECT EVALUATION

The MHTC will administratively evaluate this project. Evaluation will be based, at a minimum, upon the following:

1. Law enforcement compliance with state UCR, Racial Profiling, and STARS reporting requirements (law enforcement contracts only)
2. Timely submission of monthly reimbursement vouchers and appropriate documentation to support reimbursement for expenditures (i.e., personal services, equipment, materials)
3. Timely submission of periodic reports (i.e., monthly, quarterly, semi-annual) as required
4. Timely submission of the Year End Report of activity (due within 30 days after contract completion date)
5. Attaining the Goals set forth in this contract*
6. Accomplishing the Objectives* established to meet the project Goals, such as:
 - Enforcement activities (planned activities compared with actual activities)
 - Programs (number and success of programs held compared to planned programs, evaluations if available)
 - Training (actual vs. anticipated enrollment, student evaluations of the class, student test scores on course examinations, location of classes, class cancellation information)
 - Equipment purchases (timely purchase of equipment utilized to support and enhance the traffic safety effort ; documentation of equipment use and frequency of use)
 - Public awareness activities (media releases, promotion events, incentive items or education materials produced or purchased)
 - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Traffic and Highway Safety Division through annual crash analysis .

Evaluation results will be used to determine:

- The success of this type of activity in general and this particular project specifically ;
- Whether similar activities should be supported in the future; and
- Whether grantee will receive funding for future projects.

*Evaluation and requests to fund future projects will not be based solely on attaining Goals and/or Objectives if satisfactory justification is provided.

ADDITIONAL FUNDING SOURCES

MIDWEST HIDTA, Initiative - Kansas Investigative Support Center
2016 Funding Year (11/1/16 to 12/31/17)
Allocated - \$58,431.00. Expended as of 10/16 - \$18,426.75. Balance Available - \$40,004.25

BUDGET

Category	Item	Description	Quantity	Cost	Total	Local	Total Requested
Personnel							
	Overtime and Fringe	Sworn law enforcement personnel for organized, scheduled saturation patrols, average overtime rate of 33.00 including FICA, five per saturation patrol, six hours per saturation patrol, nine saturation patrols total.	1.00	\$15,910.00	\$15,910.00	\$0.00	\$15,910.00
	Overtime and Fringe	Non-sworn personnel (dispatcher) for organized, scheduled saturation patrols, average overtime rate of 26.00 including FICA, one per saturation patrol, six hours per saturation patrol, nine saturation patrols total.	54.00	\$26.00	\$1,404.00	\$0.00	\$1,404.00
					\$17,314.00	\$0.00	\$17,314.00
Total Contract					\$17,314.00	\$0.00	\$17,314.00

ATTACHMENTS

Document Type
WORD

Description
County Authorization Form

Original File Name
feb21grantauthorization.p

Date Added
02/23/2017

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$15,000.00 within the 2018 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an agreement with Randy A. Wolverton for forensic auditor services for the Prosecuting Attorney's Office, at a cost to the County not to exceed \$15,000.00.

RESOLUTION NO. 19990, September 24, 2018

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Prosecuting Attorney's Office's requests the execution of an agreement with Randy A. Wolverton for forensic auditor services in drug and violent crimes cases; and,

WHEREAS, the Prosecutor's Office recommends an agreement with Randy A. Wolverton, for forensic auditor services, at a cost to the County not to exceed \$15,000.00, for the period of September 15, 2018, through December 31, 2018; and,

WHEREAS, Mr. Wolverton will analyze financial evidence, summarize the evidence in a spreadsheet format, prepare a report, and be available to testify as an expert at trial or sentencing; and,

WHEREAS, an agreement with Mr. Wolverton for these services is in the best interest of the health, welfare, and safety of the citizens of Jackson County; and,

WHEREAS, a transfer is needed to place the funds necessary for these services in the proper spending account; and,

WHEREAS, the County Executive recommends said transfer; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer within the 2018 Anti-Drug Sales Tax Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Drug Sales Tax Fund Criminal Prosecution 008-4152	55010 – Regular Salaries	\$15,000	
008-4152	56790 – Other Contractual Svc		\$15,000

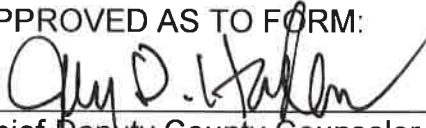
and,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute an Agreement with Randy A. Wolverton, at a cost to the County not to exceed \$15,000.00, in a form to be approved by the County Counselor; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19990 of September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the source indicated below:

ACCOUNT NUMBER: 008 4152 55010
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Criminal Prosecution
Regular Salaries
NOT TO EXCEED: \$15,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 008 4152 56790
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Criminal Prosecution
Other Contractual Services
NOT TO EXCEED: \$15,000.00

9/20/18

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

EXECUTIVE OFFICE

Completed by County Counselor's Office:
 Res/Ord No.: 19990 SEP 18 2018
 Sponsor(s): Dan Tarwarter
 Date: September 24, 2018

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution transferring \$15,000 within the 2018 Anti-Drug Sales Tax Fund and authorizing the County Executive to enter into an Agreement with Randy A. Wolverton.</u></p>														
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$15,000.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$15,000.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td></td> </tr> <tr> <td>FROM Anti-Drug Sales Tax Fund 008-4152-55010 Regular Salaries</td> <td>FROM ACCT \$15,000.00</td> </tr> <tr> <td>TO Anti-Drug Sales Tax Fund 008-4152-56790 Other Contractual Services</td> <td>TO ACCT \$15,000.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$15,000.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$15,000.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number;		FROM Anti-Drug Sales Tax Fund 008-4152-55010 Regular Salaries	FROM ACCT \$15,000.00	TO Anti-Drug Sales Tax Fund 008-4152-56790 Other Contractual Services	TO ACCT \$15,000.00
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date):</p>														
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Gina Robinson, Chief of Operations, 881-3369</p>														
<p>REQUEST SUMMARY</p>	<p>This resolution requests to transfer estimated "soft" salary savings in the Prosecutor's Office Anti-Drug Sales Tax Fund 008-4152-55010 to 008-4152-56790 Other Contractual Services and authorizing the County Executive to enter into an agreement with Mr. Randy Wolverton to serve as a forensic auditor. Mr. Wolverton is a retired special agent (28 years) who is also still contracting at the FBI. He possess unique credentials of being a CPA and CFE (certified fraud examiner) but also currently working at the FBI makes him a perfect fit to provide forensic auditing experience for our white collar cases, particularly elderly abuse and other financial fraud schemes. He is also certified in financial forensics and I have attached his resume for further review.</p> <p>Historically, the Prosecutor's Office has not had much luck with getting good results in these cases because we haven't had a CPA / CFE witness to work with the case detectives to help obtain the bank records (and other financial evidence), analyze them, synthesize them into a spread sheet, write a report (only if necessary) and stand ready to testify as an expert at trial or sentencing. Now that the USAO's financial fraud guidelines are routinely declining cases that are over \$100k loss, it is especially important that we step up our efforts now to</p>														

	achieve better results in these cases. The term of the agreement is 9/15/18 through 12/31/2018 (monthly) payments.	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director: <i>Clayton Peters Baker</i>	Date: <i>9/17/18</i>
	Finance (Budget Approval): <i>If applicable</i>	Date: <i>9/18/18</i>
	Division Manager: <i>[Signature]</i>	Date: <i>9.18.18</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Randal A. Wolverson
CPA/CFF; CFE
Business: Randal A. Wolverson CPA LLC
Business Telephone: (816)223-0770

Retired FBI Special Agent Randal A. Wolverson has been a Certified Public Accountant (CPA) approximately twenty-eight years. Wolverson joined the Federal Bureau of Investigation (FBI) in January 1981 where he received training at the FBI Academy, Quantico, Virginia. After graduating from the FBI Academy, he was assigned to the Kansas City Division where he worked cases involving Violent Crime matters. Wolverson was transferred in June 1982 to the Louisville Division of the FBI where he worked Violent Crime, White Collar Crime, Drugs, and Public Corruption matters. Wolverson was transferred in 1984 to the Philadelphia Division of the FBI where he worked White Collar Crime and Organized Crime matters. Wolverson was transferred in 1990 to the Kansas City Division where he worked White Collar Crime, Violent Crime, Domestic Terrorism, Health Care Fraud, and Public Corruption matters.

Wolverson was promoted in November 2007 to the Financial Crimes Section, Economic Crimes Unit at FBI Headquarters in Washington DC and was responsible for program management of Corporate Fraud, Securities Fraud, Insurance Fraud, and Mass-Marketing Fraud matters. Wolverson was accredited as a Certified Instructor after completing the FBI Instructor Development Course and thereafter provided instruction on White Collar Crime matters to FBI Special Agents at the FBI Academy in Quantico, Virginia.

While employed by the FBI as a Special Agent and a Supervisory Special Agent, Wolverson maintained membership with the American Institute of Certified Public Accountants (AICPA) and Association of Certified Fraud Examiners (ACFE). Wolverson attained accreditation from the AICPA as Certified in Financial Forensics (CFF). Wolverson has developed and provided training relating to fraud detection, investigation, and prevention to numerous law enforcement agencies, college undergraduate and graduate programs, auditors, accountants in private practice, and other professional organizations. Wolverson formerly served on the AICPA Forensic and Litigation Services Committee and is a current member and past Chairman of the AICPA Fraud Task Force.

Wolverson retired from the FBI after approximately 28 years of service and currently resides in Kansas City, Missouri. Wolverson is licensed as a CPA in Missouri and Kansas, and provides forensic accounting services as a Sole Practitioner. Wolverson is currently employed as a Senior Financial Investigator and Contract Forfeiture Investigator (CFI) with Chenega, Inc., and is assigned to work in the Kansas City Division of the FBI. Wolverson will work criminal cases with FBI Agents to trace illicit funds, identify assets illegally procured with criminal proceeds, and initiate forfeiture proceedings to seize the assets.

Wolverton researched and assisted in the preparation of an AICPA White Paper entitled *Conducting Effective Interviews* to provide guidance to CPAs involved in engagements where interviewing skills are necessary. Wolverton researched and authored an article published in the *AICPA Journal of Accountancy* entitled "What CPAs Need to Know about Organized Crime" (April, 2012). Also in 2012, Wolverton co-edited a book entitled "White Collar Crime – Core Concepts for Consultants and Expert Witnesses" published by the AICPA.

Investigative experience as an FBI Special Agent and CPA/Forensic Accountant can be summarized as follows:

- **Financial Institution Fraud; Corporate Fraud:** From 1991 to 2008, Wolverton was assigned to investigate numerous internal and external fraud schemes victimizing Financial Institutions, to include employee embezzlements, fraud conducted by officers, fraud against bank regulators, check kiting, check manipulation, loan fraud, mortgage fraud, computer fraud, ACH fraud, accounting fraud, and bank failures.
- **Health Care Fraud/Fraud Against the Government:** Wolverton has conducted numerous investigations involving complex Medicare/Medicaid fraud schemes, and schemes involving the misuse and misappropriation of U.S. Government funds. These investigations required the review of existing laws, rules, contracts and regulations, and a further analysis of financial transactions to support the prosecution of persons responsible for the fraud schemes.
- **Money Laundering Schemes; Asset Forfeiture:** Wolverton has conducted numerous financial investigation to fully trace proceeds of fraudulent schemes to identify money laundering violations in criminal cases, as well as identifying and locating assets procured from illegal proceeds. The Money Laundering and Asset Forfeiture evidence would emanate from the financial analysis in Financial Institution Fraud, Health Care Fraud, Mortgage Fraud, Securities Fraud, Wire and Mail Fraud, and Fraud Against the Government cases.
- **Sensitive Background Investigations:** Wolverton has conducted numerous sensitive background investigations involving positions in the United States Government, to include backgrounds of U.S. District Judges, U.S. Magistrate Judges, United States Attorneys, Special Appointments by the White House, and other Federal employees seeking employment or high level security clearances.

- **Interviewing:** Wolverton has conducted numerous interviews of witnesses, victims, suspects, and admitted criminals pursuant to criminal investigations. Wolverton also has developed training guidance for the AICPA regarding interviewing skills and conducts training seminars to assist CPAs and other professionals in developing effective interview techniques.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$84,591.00 within the 2018 Park Fund and awarding a contract for roof replacement on park structures for the Parks + Rec Department to Construction Management Services of Olathe, KS, under the terms and conditions of Invitation to Bid No. 46-18, at an actual cost to the County not to exceed \$84,591.00.

RESOLUTION NO. 19991, September 24, 2018

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, the Purchasing Director has solicited formal written bids on Bid No. 46-18 for roof replacement on park structures within the Parks + Rec Department; and,

WHEREAS, a total of seventy-nine notifications were distributed and one response was received; and,

WHEREAS, pursuant to section 1054. of the Jackson County Code, the Department of Finance and Purchasing recommends the award of a contract for roof replacement on park structures for the Parks + Rec Department to Construction Management Services of Olathe, KS, in the amount of \$84,591.00, as the lowest and best bid received; and,

WHEREAS, by Ordinance 5062, dated December 6, 2017, the Legislature did establish certain Reserve Accounts for certain budget lines within the 2018 County budget; and,

WHEREAS, certain funds appropriated in such a Reserve Account within the 2018 Park Fund are needed to cover the roof replacement on park structures for the Parks + Rec Department; and,

WHEREAS, there are numerous disputes between the County Executive and the Legislature regarding the validity of Ordinance 5062, relating to its construction and interpretation, and multiple related issues; and,

WHEREAS, the Chief Administrative Officer has recommended the adoption of this Resolution, without waiving any previous position taken in reliance upon the memorandum of the County Counselor dated December 22, 2017, regarding Ordinance 5062, and without waiving any position taken in reliance upon other legal memorandums provided by the Office of the County Counselor; and,

WHEREAS, the Legislature recognizes that funds identified as Reserve Funds in the adopted 2018 Budget within the Park Fund are required to be designated for use by the Parks + Rec Department for roof replacement on park structures; and,

WHEREAS, the Chief Administrative Officer has requested that the funds identified in this Resolution be made available for such use by the Parks + Rec Department within the 2018 budget; and,

WHEREAS the County Legislature agrees that funds described in this Resolution should be made available for such use by posting to a certain budget line item in the Parks + Rec Department budget or otherwise for calendar year 2018 by the County's Finance and Purchasing Department; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer or equivalent documentation/identification, to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure within the 2018 budget, be and hereby is authorized:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Park Fund Reserve 003-8006	56835 – Reserve Operating	\$84,591	
Non-Departmental-Park 003-5103	58020-Buildings & Improvements		\$84,591

and,

BE IT FURTHER RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of the Department of Finance is authorized to make all payments, including final payment on the contract.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19991 of September 24, 2018 was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Funds sufficient for the above-described transfer or equivalent documentation and/or identification to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure are available in the source indicated below.

ACCOUNT NUMBER: 003 8006 56835
ACCOUNT TITLE: Park Fund
Reserve Operating
NOT TO EXCEED: \$84,591.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 003 5103 58020
ACCOUNT TITLE: Park Fund
Non-Departmental- Park
Bldgs & Improvements
NOT TO EXCEED: \$84,591.00

9/20/18

Date



Chief Administrative Officer

ABSTRACT OF BIDS

Invitation to Bid No. 46-18
 Re-Roof Park Structures
 Opens: 2:00 PM, CDT on 8/25/18

NO	DESCRIPTION	UNIT	QTY	Construction Management Services				
				AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
1	Longview Shelter #11			21,684. ⁰⁰				
2	Longview Restroom #11			17,298. ⁰⁰				
3	Kemper Barn			15,069. ⁰⁰				
4	Missouri Town Woodworkers Cabin			13,115. ⁰⁰				
5	Blue and Gray Park Shelter			12,435. ⁰⁰				
6	Longview Lake Shelter #7			21,684. ⁰⁰				
7	Longview Lake Restroom #7			17,298. ⁰⁰				
8	Longview Lake Campground Restroom West			17,298. ⁰⁰				
9	Longview Lake Campground Restroom East			17,298. ⁰⁰				

CERTIFICATION OF BID OPENING
 BIDS WERE PUBLICLY
 OPENED AND RECORDED

ON: 8/28/2018, BY

J. Rusk
 CLERK OF THE LEGISLATURE

Kate Barta
 PURCHASING



**JACKSON COUNTY
Parks + Rec**

22807 Woods Chapel Road
Blue Springs, Missouri 64015
MakeYourDayHere.com

Michele Newman, Director
(816) 503-4800
Fax (816) 795-1234

Memo

To: Barbara Casamento

From: Bruce Wilke *Bruce*

cc: Dianne Kimzey
Brian Nowotny

Date: August 30, 2018

Re: Bid No. 46 - 18
Roofing Replacement

Barbara,
After reviewing the bid tabulation, we recommend award of the bid to the apparent low bidder, Construction Management Services of Olathe.

We wish to accept the bid amounts for the following items:

<u>Bid Item</u>	<u>Total Bid Amount</u>
<ul style="list-style-type: none"> • Group "A", Items 1 thru 4 	\$ 67,166.00
<ul style="list-style-type: none"> • Group "B" Item 5; Blue & Gray Park Shelter 	\$ 12,425.00
Total Award	\$ 79,591.00

We also wish to accept all Unit Pricing quoted. We request the Parks Director be authorized to spend up to an additional **\$5,000.00**, based on the Unit Pricing, to perform any additional work necessary due to unforeseen conditions encountered during construction. Funding for this project, (\$ 84,591.00), will be requested from reserve funds and placed in account 003-5103-8020 Building and Improvements.



Frank White, Jr., County Executive

7.5 Bidders and their agents (including subcontractors, employees, consultants or anyone else acting on their behalf) must follow this procedure. Bidders or their agents may not contact any other County personnel regarding matters covered by this Invitation to Bid during the solicitation and evaluation process. Inappropriate contacts are grounds for **REJECTION OF YOUR BID**.

8.0 QUOTATIONS

8.1 It is the intention of the County to award all Group A, Base Bid Items #1 through #4. The amount of work awarded in Group B, Items #5 through #9 will be determined by the remaining budget available. Unit price will be used for any additional or unforeseen circumstances in awarded jobs.

8.2 **GROUP A – Base Bid Facilities:** The Undersigned Bidder hereby proposes to perform all work as outlined in the Specifications as necessary and incidental to the completion of the Re-Roofing of Park Structures as follows:

No.	Description	Lump Sum Contract Price
01	Longview Shelter #11 Near 11101 Raytown Road, Kansas City, MO 64149	\$ 21,684.00
02	Longview Restroom #11 Near 11101 Raytown Road, Kansas City, MO 64149	\$ 17,298.00
03	Kemper Barn 8201 Jasper Bell Road, Blue Springs, MO 64015	\$ 15,069.00
04	Missouri Town Woodworkers Cabin 8010 East Park Road, Lee's Summit, MO 64081	\$ 13,115.00

8.3 **GROUP B – Alternate Bid Facilities:** The amount of work awarded in Group B, Items #5 - #9 will be determined by the remaining budget available. Unit prices will be used for any additional or unforeseen circumstances in awarded jobs.

The undersigned Bidder hereby acknowledges that the County, at its sole discretion, may determine the number of Shelters and Restrooms to be re-roofed at Longview Lake and Blue and Gray Park using the following unit per price structure:

No.	Description	Lump Sum Contract Price
05	Blue and Gray Park Shelter 32005 East Hammond Road, Lone Jack, MO 64086	\$ 12,425.00
06	Longview Lake Shelter #7 Near 12600 Old Raytown Road, Kansas City, MO 64149	\$ 21,684.00
	Longview Lake Restroom #7	

07	Near 12600 Old Raytown Road, Kansas City, MO 64114	\$ 17,298.00
08	Longview Lake Campground Restroom West 1499 SW Park Road, Lee's Summit, MO 64081	\$ 17,298.00
09	Longview Lake Campground Restroom East 1499 SW Park Road, Lee's Summit, MO 64081	\$ 17,298.00

8.4 Unit Price Schedule:

- 8.4.1 The Undersigned Bidder offers, for the County's consideration and use, the following unit price schedule. All unit prices will be the basis of payment or credit for extras or deductions to the original Contract. The County reserves the right to add or delete any item of the Contract as best suits its purposes or intentions. All prices must be the "installed price" and remain intact as long as original Contract is enforceable. This sheets must be completed in full as an integral part of the response to bid.
- 8.4.2 These prices are to include all costs to the County, including those for labor, materials, equipment, tools of trades and labor, appliances, accessories, warranties, guarantees, royalties, fees, permits, licenses, applicable taxes, insurance, bonds, hauling, storage, overhead and profit.
- 8.4.3 The following unit abbreviations are used:
 - 8.4.3.1 LF - Lineal Foot
 - 8.4.3.2 SF - Square Foot
 - 8.4.3.3 EA - Each
 - 8.4.3.4 SQ - Square
 - 8.4.3.5 SY - Square Yard

No.	Description	Unit	Cost/Unit
10	Wood sheathing tear-off and replacement	SF	\$ 4.50
11	Wood fascia tear-off and replacement	LF	\$ 15.00

8.5 Change Orders: At the end of the project, any such additional work for which written authorization has been received will be included in a Change Order initiated by the Successful Bidder and approved by the County, and such Change Order with copies of the written authorization attached, shall be submitted to the County for acceptance.

Signature of Bidder: <i>Michael Brock</i>	Company Phone:
Name and Title: Michael Brock President	Email Address: mike@cmsincusa.com
Company Name: Construction Management Service Inc.	
Company Address: 18901 158th St Olathe, KS. 66062	

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord. No.: 19991

Sponsor(s): Tony Miller

Date: September 24, 2018

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Requesting the transfer of \$84,591 from the Reserve Account and Awarding a Contract for Re-roofing Park Structures for the Parks + Rec Department to Construction Management Services of Olathe, Kansas under the terms and conditions of Invitation to Bid No. 46-18</u></p>																																													
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PRIOR LEGISLATION	<p>Prior ordinances and (date): 5062, 12/6/27 Prior resolutions and (date):</p>																																													
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Barbara Casamento, Purchasing Administrator, 881-3253</p>																																													
REQUEST SUMMARY	<p>The Parks + Rec Department requires re-roofing of some of their structures. The Purchasing Department issued Invitation to Bid No. 46-18 in response to those requirements.</p> <p>Seventy-nine notifications were distributed and one response was received and evaluated as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Construction Management Services</th> </tr> </thead> <tbody> <tr> <td></td> <td>Group A</td> <td></td> </tr> <tr> <td>01</td> <td>Longview Lake Shelter #11</td> <td style="text-align: right;">\$21,684</td> </tr> <tr> <td>02</td> <td>Longview Lake Restroom #11</td> <td style="text-align: right;">\$17,298</td> </tr> <tr> <td>03</td> <td>Kemper Barn</td> <td style="text-align: right;">\$15,069</td> </tr> <tr> <td>04</td> <td>Missouri Town Woodworkers Cabin</td> <td style="text-align: right;">\$13,115</td> </tr> <tr> <td></td> <td>Group B</td> <td></td> </tr> <tr> <td>05</td> <td>Blue and Gray Shelter</td> <td style="text-align: right;">\$12,425</td> </tr> <tr> <td>06</td> <td>Longview Lake Shelter #7</td> <td style="text-align: right;">\$21,684</td> </tr> <tr> <td>07</td> <td>Longview Lake Restroom #7</td> <td style="text-align: right;">\$17,298</td> </tr> <tr> <td>08</td> <td>Longview Lake Campground Restroom West</td> <td style="text-align: right;">\$17,298</td> </tr> <tr> <td>09</td> <td>Longview Lake Campground Restroom East</td> <td style="text-align: right;">\$17,298</td> </tr> <tr> <td></td> <td>Unit Price Schedule</td> <td></td> </tr> <tr> <td>10</td> <td>Wood Sheathing Tear-Off and Replacement</td> <td style="text-align: right;">\$4.50/SF</td> </tr> <tr> <td>11</td> <td>Wood Fascia Tear-Off and Replacement</td> <td style="text-align: right;">\$15.00/LF</td> </tr> </tbody> </table> <p>The Parks + Rec Department recommends the Award of Items 1-5 in the amount of \$79,591 and Items 10 and 11 in the amount of \$5,000. Total Award Amount \$84,591</p>	No.	Description	Construction Management Services		Group A		01	Longview Lake Shelter #11	\$21,684	02	Longview Lake Restroom #11	\$17,298	03	Kemper Barn	\$15,069	04	Missouri Town Woodworkers Cabin	\$13,115		Group B		05	Blue and Gray Shelter	\$12,425	06	Longview Lake Shelter #7	\$21,684	07	Longview Lake Restroom #7	\$17,298	08	Longview Lake Campground Restroom West	\$17,298	09	Longview Lake Campground Restroom East	\$17,298		Unit Price Schedule		10	Wood Sheathing Tear-Off and Replacement	\$4.50/SF	11	Wood Fascia Tear-Off and Replacement	\$15.00/LF
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10	Wood Sheathing Tear-Off and Replacement	\$4.50/SF																																												
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	<p>Pursuant to Section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the Award of a Contract for the Re-Roofing of Park Structures for the Parks + Rec Department to Construction Management Services of Olathe, Kansas in the amount of \$84,591 as the best bid received under the terms and conditions of Invitation to Bid No. 46-18.</p> <p>The Parks + Rec Department requests the transfer of \$84,591 from the Reserve as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;"></td> <td style="text-align: right;">From:</td> <td style="text-align: right;">To:</td> </tr> <tr> <td>003-8006-56835, Park Fund, Reserve Fund, Reserve Operating</td> <td style="text-align: right;">\$84,591</td> <td></td> </tr> <tr> <td>003-5103-58020, Park Fund, Non-Departmental, Buildings and Improvements</td> <td></td> <td style="text-align: right;">\$84,591</td> </tr> </table>			From:	To:	003-8006-56835, Park Fund, Reserve Fund, Reserve Operating	\$84,591		003-5103-58020, Park Fund, Non-Departmental, Buildings and Improvements		\$84,591
	From:	To:									
003-8006-56835, Park Fund, Reserve Fund, Reserve Operating	\$84,591										
003-5103-58020, Park Fund, Non-Departmental, Buildings and Improvements		\$84,591									
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)										
COMPLIANCE	<input checked="" type="checkbox"/> MBE Goals 9.5% <input checked="" type="checkbox"/> WBE Goals 11.7% <input checked="" type="checkbox"/> VBE Goals 9.5%										
ATTACHMENTS	Abstract of Bids, Award Recommendation from Bruce Wilke of the Parks + Rec Department and the pertinent pages of Construction Management Services bid documents										
REVIEW	Department Director:	Date:									
	<i>Michael Lesome</i>	9-10-18									
	Finance (Budget Approval): <i>If applicable</i>	Date: 9/10/18									
	Division Manager:	Date: 9-18-18									
	County Counselor's Office:	Date:									

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$13,645.00 within the 2018 Park Fund to cover the costs of demolition and beautification of the former parks maintenance area on Woods Chapel Road within the Parks + Rec Department.

RESOLUTION NO. 19992, September 24, 2018

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, in 2017 the Park Operations Division within the Parks + Rec Department moved into new facilities in Fleming Park, vacating its previous timeworn structures along Woods Chapel Road that were beyond repair; and,

WHEREAS, the Parks + Rec Department recommends that the vacated park operations structures be demolished and the area beautified, with the demolition work to be bid, and the concrete replacement provided by an existing County term and supply vendor; and,

WHEREAS, by Ordinance 5062, dated December 6, 2017, the Legislature did establish certain Reserve Accounts for certain budget lines within the 2018 County budget; and,

WHEREAS, certain funds appropriated in such Reserve Account within the 2018 Park Fund are needed to cover the cost of demolition and beautification of the former parks maintenance area on Woods Chapel Road within the Parks + Rec Department; and,

WHEREAS, there are numerous disputes between the County Executive and the Legislature regarding the validity of Ordinance 5062, relating to its construction and

interpretation, and multiple related issues; and,

WHEREAS, the Chief Administrative Officer has recommended the adoption of this Resolution, without waiving any previous position taken in reliance upon the memorandum of the County Counselor dated December 22, 2017, regarding Ordinance 5062, and without waiving any position taken in reliance upon other legal memorandums provided by the Office of the County Counselor; and,

WHEREAS, the Legislature recognizes that funds identified as Reserve Funds in the adopted 2018 Budget within the General Fund are required to be designated for use by the Parks + Rec Department for demolition and beautification of the former parks maintenance area on Woods Chapel Road; and,

WHEREAS, the Chief Administrative Officer has requested that the funds identified in this Resolution be made available for such use by the Parks + Rec Department within the 2018 budget; and,

WHEREAS the County Legislature agrees that funds described in this Resolution should be made available for such use by posting to a certain budget line item in the Parks + Rec Department budget or otherwise for calendar year 2018 by the County's Finance and Purchasing Department; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer or equivalent documentation/identification, to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure within the 2018 budget, be and hereby is authorized:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Park Fund Reserve 003-8006	56837 – Reserve Capital	\$13,645	
Non-Departmental 003-5103	58060–Other Improvements		\$13,645

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19992 of September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Funds sufficient for the above-described transfer or equivalent documentation and/or identification to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure are available in the source indicated below.

ACCOUNT NUMBER: 003 8006 56837

ACCOUNT TITLE: Park Fund
Reserve Capital

NOT TO EXCEED: \$13,645.00

9/20/18

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 19992


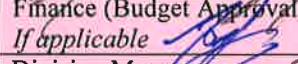
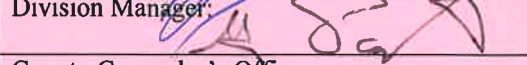
Sponsor(s):

Date: Tony Miller
September 24, 2018

EXECUTIVE OFFICE

SEP 18 2018

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Funding for Woods Chapel Road Facilities Demolition & Beautification Project</u></p>								
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$13,645.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$13,645.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> </table> <p>Source of funding (name of fund) and account code number;</p> <p>FROM: 003-8006-56837 Reserve-Capital FROM ACCT: \$13,645.00</p> <p>TO: 003-5103-58060 Other Improvements TO ACCT: \$13,645.00</p> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$13,645.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$13,645.00	Amount budgeted for this item * (including transfers):	\$
Amount authorized by this legislation this fiscal year:	\$13,645.00								
Amount previously authorized this fiscal year:	\$								
Total amount authorized after this legislative action:	\$13,645.00								
Amount budgeted for this item * (including transfers):	\$								
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>								
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Brian Nowotny, Deputy Director Park Operations, 816.503.4803</p>								
<p>REQUEST SUMMARY</p>	<p>Parks+Rec respectfully requests that \$13,645.00 be transferred from the Parks Reserve Account to the Parks Other Improvement account for concrete work at the former park maintenance area on Woods Chapel Road. In 2017 the Park Operations division moved into new facilities at Fleming Park, vacating the timeworn structures on Woods Chapel Road that were beyond repair. All work associated with this RLA will be done through existing Term & Supply vendors. A separate contractor, with work bid through Jackson County Public Works, will remove all above-ground structures on the site.</p>								

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Proposal for Work, Quality Custom Construction	
REVIEW	Department Director: 	Date: 9-11-18
	Finance (Budget Approval): If applicable 	Date: 9/12/18
	Division Manager: 	Date: 9-18-18
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
003-8006-56837	Parks Reserve Capital	\$13,645.00

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

QUALITY

QUALITY CUSTOM CONSTRUCTION



CUSTOM CONSTRUCTION

9707 S Corn Road
Lone Jack, MO 64070
816-697-3232

Estimate

Date	Estimate #
8/27/2018	2358

Name / Address
JACKSON COUNTY PARKS + REC 22807 WOODS CHAPEL ROAD BLUE SPRINGS, MO 64015 ATTN: JOHN JOHNSON

Item	Description	Qty	Cost	Total
NOTE	THIS PROPOSAL PERTAINS TO JCPR AUTO SHOP, 22309 WOODS CHAPEL ROAD, BLUE SPRINGS MO			
6" INTERIOR SL...	CONCRETE WORK - REMOVE AND EXPORT EXISTING CONCRETE SLAB OF AUTO SHOP	1	13,645.00	13,645.00
NOTE	QUESTIONS / SCHEDULING: CONTACT ED LIPOWICZ @ 913 208-8233. THANK YOU.			
We look forward to serving you!			Total	\$13,645.00

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$6,000.00 within the 2018 Anti-Drug Sales Tax Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$6,000.00 to the Independence Police Department, for the purchase of surveillance cameras.

RESOLUTION NO. 19993, September 24, 2018

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Independence Police Department has submitted a request for \$6,000.00 in anti-drug sales tax funds to purchase surveillance cameras to be utilized in high-crime areas to assist the police with ongoing investigations; and,

WHEREAS, the Prosecuting Attorney recommends this expenditure;

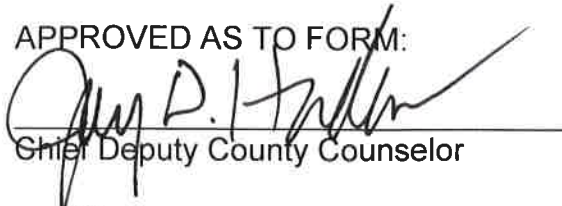
BE IT RESOLVED by the County Legislature of Jackson County, MO, that the following transfer be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Drug Sales Tax Fund 008-4152	55010– Regular Salaries	\$6,000	
Anti-Drug Sales Tax Fund 008-4152	58170--Other Equipment		\$6,000

BE IT FURTHER RESOLVED, that the Director of Finance and Purchasing be and hereby is authorized issue a check to the Independence Police Department, in the amount of \$6,000.00, for surveillance cameras.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19993 of September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the source indicated below:

ACCOUNT NUMBER: 008 4152 55010
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Criminal Prosecution
Regular Salaries
NOT TO EXCEED: \$6,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 008 4152 58170
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Criminal Prosecution
Other Equipment
NOT TO EXCEED: \$6,000.00

9/20/18

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 19993

Sponsor(s): Dan Tarwater III

Date: September 24, 2018

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution transferring \$6,000.00 and authorizing the Director of Finance and Purchasing to make a payment for the Prosecutor's Office to the Independence Police Department for the purpose of purchasing surveillance cameras for a safe neighborhood initiative.</u></p>														
	<table border="1" data-bbox="341 546 1185 1197"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$6,000.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$6,000.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td></td> </tr> <tr> <td>FROM Anti-Drug Sales Tax Fund 008-4152-55010 Regular Salaries</td> <td>FROM ACCT \$6,000.00</td> </tr> <tr> <td>TO Anti-Drug Sales Tax Fund 008-4152-58170- Other Equipment</td> <td>\$6,000.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$6,000.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$6,000.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number;		FROM Anti-Drug Sales Tax Fund 008-4152-55010 Regular Salaries	FROM ACCT \$6,000.00	TO Anti-Drug Sales Tax Fund 008-4152-58170- Other Equipment	\$6,000.00
Amount authorized by this legislation this fiscal year:	\$6,000.00														
Amount previously authorized this fiscal year:	\$														
Total amount authorized after this legislative action:	\$6,000.00														
Amount budgeted for this item * (including transfers):	\$														
Source of funding (name of fund) and account code number;															
FROM Anti-Drug Sales Tax Fund 008-4152-55010 Regular Salaries	FROM ACCT \$6,000.00														
TO Anti-Drug Sales Tax Fund 008-4152-58170- Other Equipment	\$6,000.00														
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>														
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Gina Robinson, Chief of Operations 881-3369</p>														
<p>REQUEST SUMMARY</p>	<p>This resolution requests to transfer estimated "soft" savings \$6,000 in the Prosecutor's Office Anti-Drug Sales Tax Fund and authorizing the Director of Finance and Purchasing to make a payment from the Prosecutor's Office to the Independence Police Department for the purpose of purchasing surveillance cameras to be utilized in a high crime areas to assist police with on-going investigations.</p>														

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Award of Contract, Budgets	
REVIEW	Department Director: <i>Clayton Petero Baker</i>	Date: <i>9/17/18</i>
	Finance (Budget Approval): <i>If applicable</i> <i>MB</i>	Date: <i>9/18/18</i>
	Division Manager: <i>J. Boyd</i>	Date: <i>9.18.18</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Monday, September 24, 2018, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

RESOLUTION NO. 19994, September 24, 2018

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, the Jackson County Legislature desires to hold a closed meeting on Monday, September 24, 2018, during the regularly scheduled meeting of the Legislature; and,

WHEREAS, public notice of such closed meeting has been given by inclusion of this Resolution on the published agenda for said meeting; and,

WHEREAS, the purpose of such closed meeting is to conduct privileged and confidential communications between the Legislature and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation; and,

WHEREAS, such closed meeting is allowable under section 610.021(1) of the Revised Statutes of Missouri; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature be authorized to hold a closed meeting during the regularly scheduled meeting of the Legislature on Monday, September 24, 2018, pursuant to section 610.021(1), RSMo, and closing all records prepared in connection therewith.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No.19994 of September 24, 2018, was duly passed on _____, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature