



# COUNTY LEGISLATURE JACKSON COUNTY, MISSOURI

MARY JO SPINO

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CLERK OF THE COUNTY LEGISLATURE  
415 East 12th Street  
Kansas City, MO 64106

201 West Lexington, 2<sup>nd</sup> Floor  
Independence, MO 64050

## September 29, 2023 – October 05, 2023

9-29-2023 Friday

NO MEETINGS –

10-02-2023 Monday

NO ANTI-CRIME, FINANCE & AUDIT, HOUSING & HOMELSSNESS, INTER-GOVERNMENTAL AFFAIRS, JUSTICE & LAW ENFORCEMENT, LAND USE, PUBLIC WORKS, RULES, VETERANS, OR 911 OVERSIGHT COMMITTEE MEETINGS –

12:45 P.M.

Diversity, Equity, & Inclusion Committee Meeting –  
Jackson County Courthouse, 415 East 12<sup>th</sup> Street,  
2<sup>nd</sup> Floor, Kansas City Legislative Assembly Area

1:00 P.M.

Health & Environment Committee Meeting –  
Jackson County Courthouse, 415 East 12<sup>th</sup> Street,  
2<sup>nd</sup> Floor, Kansas City Legislative Assembly Area

1:30 P.M.

Budget Committee Meeting –  
Jackson County Courthouse, 415 East 12<sup>th</sup> Street,  
2<sup>nd</sup> Floor, Kansas City Legislative Assembly Area

The Budget Committee will have a public hearing on Ordinance #5783.

3:00 P.M.

**LEGISLATIVE MEETING –  
Jackson County Courthouse, 415 East 12<sup>th</sup> Street,  
2<sup>nd</sup> Floor, Kansas City Legislative Assembly Area**

10-03-2023 Tuesday

NO MEETINGS –

10-04-2023 Wednesday

NO MEETINGS –

10-05-2023 Thursday

NO MEETINGS –

Persons with disabilities wishing to participate in the above meetings and who require reasonable accommodation may call the County Clerk's Office at 881-3242 or 1-800-735-2466 (Missouri Relay). Forty-eight (48) hours' notice is required. To put information on the Activity Calendar, please contact the County Clerk's Office by NOON Wednesday of each week.

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Executive to execute an Extension to the Cooperative Agreement with ArtsKC for the implementation [development] of an arts strategic plan for Jackson County, at a cost to the County not to exceed \$250,000.00.

**RESOLUTION NO. 21399**, September 18, 2023

**INTRODUCED BY** Megan L. Marshall, County Legislator

WHEREAS, by Resolution 20681, dated May 17, 2021, the Legislature authorized the execution of a Cooperative Agreement with ArtsKC to develop and execute a strategic plan for the proposed Arts Council, including, but not limited to, community engagement, infrastructure, and measurement of social and economic outcomes to aid future policy and funding decisions; and,

WHEREAS, the execution of an Extension to the Cooperative Agreement, will provide for the implementation and execution of the strategic plan [continuation of these services] in 2023 at a cost to the County not to exceed \$250,000.00; and,

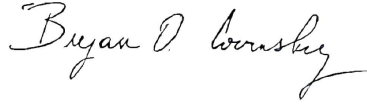
WHEREAS, the execution of such an Extension, is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute an Extension to the Cooperative Agreement with ArtsKC, 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 payments on the Agreement and Extension.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

I hereby certify that the attached resolution, Resolution No. 21399, introduced on September 18, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date


\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

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: 002 1021 56789  
ACCOUNT TITLE: Health Fund  
Jackson County Arts Commission  
Outside Agency Funding  
NOT TO EXCEED: \$250,000.00

09/13/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvia Stevenson (Sep 13, 2023 16:53 CDT)  
Chief Administrative Officer

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** repealing sections 9103. and 9104., Jackson County Code, 1984, relating to the Board of Equalization, and enacting, in lieu thereof, two new sections relating to the same subject.

**ORDINANCE NO. 5797**, October 2, 2023

**INTRODUCED BY** Manuel Abarca, IV, County Legislator

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section A. Enacting Clause. Sections 9103. and 9104., Jackson County Code, 1984, are hereby repealed and two new sections enacted in lieu thereof, to be known as sections 9103. and 9104., to read as follows:

### 9103. Salary

Those permanent members of the Board of Equalization who are appointed by the County Executive [by reason of Subsection 1 of Section 1 of Article XI] under Article XI, Section 1, Subsection 1 of the Jackson County Charter shall each receive a salary of one thousand five hundred dollars (\$1,500) per month that the Board of Equalization is in session less than an average of 40 hours per week, except that they shall receive compensation of three thousand five hundred dollars [(\$3,000)](\$3,500) per month that the Board of Equalization is in session for an average of 40 hours per week [for the months of July and August and except that such members shall receive four thousand dollars (\$4,000) per month for the months of September, October, November and December, 2019]. No compensation shall be payable to any member for any month in which that member does not personally attend a meeting of the Board.

9104. Compensation

Those members of the Board of Equalization appointed under [Subsections 2 and 3 of Section 1 of] Article XI, Section 1, Subsections 2 and 3 of the Jackson County Charter, who are eligible to receive compensation from Jackson County, shall each receive compensation of one hundred fifty dollars (\$150) per meeting that they attend and cast a vote in], except that such members shall receive compensation of two hundred fifty dollars (\$250) per meeting for meetings held in calendar year 2019 after the effective date of Ordinance 5249].

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

APPROVED AS TO FORM:

*Bryan D. Worsley*

\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5797 introduced on October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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 the Legislature

I hereby approve the attached Ordinance No. 5797.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

Funds sufficient for this expenditure will be appropriated by Ordinance 5789.

09/28/2023

*Sylvia Stevenson*  
\_\_\_\_\_  
Sylvia Stevenson (Sep 28, 2023 10:09 CDT)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer

# Request for Legislative Action

Ord. #5797  
Sponsor: Manuel Abarca IV  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5797
Sponsor(s):	Manuel Abarca IV	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Amend']
<b>Project/Title:</b>
Ordinance to amend County Code 9103. and 9104. to reflect current payments

Request Summary
This is a request to amend the Jackson County Code 9103. and 9104. to reflect the current rates for Board of Equalization permanent and temporary members.
This will also remove confusing language regarding the 2019 rates so as to clarify and standardize the rates under the code.

Contact Information			
<b>Department:</b>	County Counselor	<b>Submitted Date:</b>	9/14/2023
<b>Name:</b>	Theresa E. Bullington	<b>Email:</b>	tbullington@jacksongov.org
<b>Title:</b>	Sr. Assistant County Counselor	<b>Phone:</b>	816-881-3213

Budget Information			
Amount authorized by this legislation this fiscal year:	\$ 0		
Amount previously authorized this fiscal year:	\$ 0		
Total amount authorized after this legislative action:	\$		
Is it transferring fund?	No		
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5249	August 13, 2019



## Request for Legislative Action

Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> <li>This legislative action does not impact the County financially and does not require Finance/Budget approval.</li> </ul>	

## Request for Legislative Action

### History

Submitted by County Counselor requestor: Theresa E. Bullington on 9/14/2023. Comments:

Approved by Department Approver Whitney S. Miller on 9/19/2023 11:02:32 AM. Comments:

Not applicable by Purchasing Office Approver Craig A. Reich on 9/20/2023 8:50:08 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:25:08 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/20/2023 9:38:39 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 9/20/2023 10:03:32 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:05:04 PM. Comments:

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** appropriating \$16,748.00 from the undesignated fund balance of the 2023 Grant Fund in acceptance of funding provided by the Organized Crime Enforcement Task Force for use by the Jackson County Drug Task Force for “Operation Bad Cookie.”

**ORDINANCE NO. 5798**, October 2, 2023

**INTRODUCED BY** Venessa Huskey, County Legislator

WHEREAS, the Jackson County Drug Task Force (JCDF) and Homeland Security Investigation have formed the Organized Crime Drug Enforcement Task Force (OCDEF) to conduct a joint federal drug investigation, “Operation Bad Cookie”; and,

WHEREAS, a portion of the overtime costs incurred by the JCDF for this investigation will be reimbursed by the OCDEF, in an amount not to exceed \$16,748.00; and,

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

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2023 Grant Fund be and hereby is made:

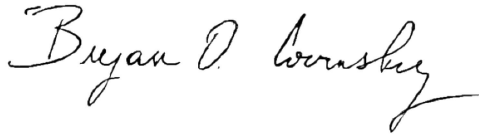
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund OCDEF 010-4133	45792 - Increase Revenue	\$16,748	
Non-Specific 010-9999	32810- Undesignated Fund Balance		\$16,748
010-9999	32810- Undesignated Fund Balance	\$16,748	
OCDEF 010-4133	55030 - Overtime		\$16,748

and,

BE IT FURTHER ORDAINED that the County Executive and other County officials be and hereby are authorized to execute any documents necessary to give effect to the intent of this Ordinance.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5798 introduced on October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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. 5798.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

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


ACCOUNT NUMBER: 010 4133 45792  
ACCOUNT TITLE: Grant Fund  
OCDEF  
Increase Revenues  
NOT TO EXCEED: \$16,748.00

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

ACCOUNT NUMBER: 010 9999 32810  
ACCOUNT TITLE: Grant Fund  
Non-Specific  
Undesignated Fund Balance  
NOT TO EXCEED: \$16,748.00

09/28/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvya Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

# Request for Legislative Action

Ordinance No.: 5798  
Sponsor: Venessa Huskey  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5798
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Appropriate']
<b>Project/Title:</b>
Appropriating funds within the Organized Crime Drug Enforcement Task Force (OCDETF) for reimbursement of overtime expenses associated with the investigation.

Request Summary
<p>The Jackson County Drug Task Force (JCDF) and Homeland Security Investigation are conducting a joint federal drug investigation. The agencies have formed and Organized Drug Enforcement Task Force (OCDETF), Operation Bad Cookie for the period of February 1, 2023 through September 30, 2023. As a result, the JCDF will be reimbursed overtime costs by the OCDETF program associated with the investigation.</p> <p>Please appropriate \$ 16,748.00 from 010-4133-45792 ( Organized Crime/DTF - undesignated fund balance) into: 010-4133-55030 - Overtime</p>

Contact Information			
<b>Department:</b>	Jackson County Drug Task Force	<b>Submitted Date:</b>	9/18/2023
<b>Name:</b>	Cari Beeman	<b>Email:</b>	cbeeman@jacksongov.org
<b>Title:</b>	Operations Administrator	<b>Phone:</b>	816-503-4713

Budget Information			
Amount authorized by this legislation this fiscal year:			\$16,748
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$16,748
Is it transferring fund?			Yes
Transferring Fund From:			
<b>Fund:</b>	<b>Department:</b>	<b>Line Item Account:</b>	<b>Amount:</b>
010 (Grant Fund)	4133 (Organized Crime Drug Enforcement)	45792 (Organized Crime/DTF)	\$16,748

## Request for Legislative Action

Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	4133 (Organized Crime Drug Enforcement)	55030 (Overtime Salaries)	\$16,748

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5790	September 11, 2023
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>



## Request for Legislative Action

### History

Submitted by Jackson County Drug Task Force requestor: Cari Beeman on 9/18/2023. Comments:

Approved by Department Approver Dan Cummings on 9/18/2023 10:20:43 AM. Comments:

Not applicable by Purchasing Office Approver Craig A. Reich on 9/18/2023 12:10:56 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/18/2023 1:36:17 PM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 9/19/2023 9:10:07 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylvya Stevenson on 9/20/2023 10:08:33 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:05:44 PM. Comments:

## Supplemental Appropriation Request Jackson County, Missouri

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

Date: September 19, 2023

ORD # 5798  
eRLA # 1082

Department / Division	Character/Description	From	To
<b>Grant Fund - 010</b>			
4133 - OCDEF	45792 - Increase Revenues	16,748	
9999 - Non Specific	32810 - Undesignated Fund Balance		16,748
9999 - Non Specific	32810 - Undesignated Fund Balance	16,748	
4133 - OCDEF	55030 - Overtime		16,748
<div style="border: 1px solid green; padding: 2px; display: inline-block;"> <b>APPROVED</b>  <small>By Sarah Matthes at 9:08 am, Sep 19, 2023</small> </div>		\$ 33,496	\$ 33,496
Budgeting			

LAW ENFORCEMENT SENSITIVE

U.S. Department of Justice  
United States Attorney  
Organized Crime Drug Enforcement Task Forces  
West Central Region

Thomas F. Eagleton Courthouse 111 S. 10th Street, Suite 20.333  
St. Louis MO 63102

Tel: 314-539-2200  
Fax: 314-539-2312

Capt. Danny Cummings  
Jackson CO DTF (KCMO)  
415 E. 12th Street, 9th Floor  
Kansas City MO 64106

**Subject: Organized Crime Drug Enforcement Task Forces (OCDETF) State and Local Overtime and Authorized Expense Agreement for Fiscal Year FY-23**

Dear Capt. Danny Cummings:

The West Central Region OCDETF Regional Coordination Group has approved an OCDETF Agreement for the Jackson CO DTF (KCMO) under the following terms:

OCDETF Case #: WC-MOW-0372  
Operation: BAD COOKIE  
Dates of the Agreement: 02/01/2023 through 09/30/2023 (FY-23)  
Funding Amount (\$): \$16,748.00  
Sponsoring Federal Agency: ICE

At no time should your State or Local agency exceed the approved funding noted above.  
\*\*Please note that the approved funding amount may be less than the amount originally submitted to the Regional Coordination Group.

Initial funding allocations represent projections only and therefore are subject to modification by the Regional Coordination Group based upon the progress and needs of the OCDETF investigation. Federal government accounting policy requires all open obligations be reviewed and validated at the end of each quarter; therefore if no costs have been incurred within 90 days of the date of the agreement all funding could automatically be de-obligated unless an extension has been requested and has been granted in writing by the sponsoring Agency Regional OCDETF Coordinator.

If additional funding or agreement modifications are necessary, a written request must be submitted by the sponsoring Agency Regional OCDETF Coordinator to the Assistant U.S. Attorney (AUSA) Regional OCDETF Director **prior** to incurring any overtime and/or expenses. The sponsoring Federal agency and State or Local agency will be notified in writing on the status of the request. Any supplemental funding will be contingent upon availability of funds.

OCDETF Agreement For Fiscal Year FY-23

A reimbursement request will not be deemed "submitted" unless it is completely and accurately prepared. Reimbursement requests must be submitted within 30 days of overtime worked. The requests must be approved and signed by the sponsoring Federal agency prior to being forwarded to the U.S. Attorney's office. All requests without the proper signatures will be returned. Approved funds that do not have properly submitted reimbursement requests submitted on a timely basis will be de-obligated by the committee to meet other financial responsibilities.

The State or Local agency is responsible for ensuring and monitoring overtime payments. These payments may not, on an annual per person basis, exceed \$19,840.75 (increased to 25% of a GS-12 Step 1 Federal salary rate in effect for fiscal year beginning 10/01/2022). The field office of the sponsoring Federal agency and the sponsoring Agency Regional OCDETF Coordinator will also monitor these payments, as stated in section 14 of the agreement. Without approval from the Regional Coordination Group and the grant of a waiver from the OCDETF Executive Office in Washington D.C. An agency may not be reimbursed in excess of \$25,000.00 on any OCDETF investigation in a given year.

**Reimbursement requests which are not submitted for payment in a timely manner are subject to availability of funds.**

If you have any questions, please do not hesitate to contact your sponsoring Agency Regional OCDETF Coordinator Kirby, Shawn at 816-918-5977.

Very truly yours,

Sayler A. Fleming  
United States Attorney  
*Jackie Catron*  
James C. Delworth  
OCDETF Regional Director

**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES  
FY 2023 Agreement  
FOR THE USE OF THE STATE & LOCAL  
OVERTIME AND AUTHORIZED EXPENSE/STRATEGIC INITIATIVE PROGRAM**

DUNS / UEI #: 026546940

Federal Tax Identification: 4 4 - 6 0 0 0 5 2 4

EXO USE ONLY  
DC#: Z-32- \_\_\_\_\_

Amount Requested: \$ 16,748.00  
Amount requested should match the amount calculated on the Initial Funding Form, Page 2  
Number of Officers Listed: 21

OCDETF Investigation / Strategic Initiative  
Number: WC-MOW-0372  
Operation  
Name: Bad Cookie

From: February 1, 2023  
Beginning Date of Agreement  
To: September 30, 2023  
Ending Date of Agreement

Federal Agency Investigations  
Number: KC02TR20KC0003

Addendum A in use? Y  N

State & Local Organization  
Narcotics Supervisor: OIC Danny Cummings  
Telephone Number: (816) 503-4725  
Email Address: dcummings@jcdtf.com

Sponsoring Federal Agency(ies):  
HSI

State & Local Organization Name:  
Jackson County Drug Task Force  
Address to receive OCDETF paperwork (no PO  
Boxes): Attention: \*  
Cari Beeman  
415 E 12th St  
Kansas City, MO 64106

Sponsoring Federal Agency(ies)  
Group / Squad Supervisor: Nick Nordstrom  
Telephone Number: (520) 271-1218  
Email Address: nicholas.j.nordstrom@hsi.dhs.gov

\* Include the name of the person the form should be mailed to

Please provide the name, telephone number, and email address for the **financial staff person at the State & Local Organization, who is directly responsible for the billing on the Reimbursement Request:**

Name: Cari Beeman  
Telephone Number: (816) 503-4713  
Email Address: cbeeman@jcdtf.com

**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES  
 FY 2023 Agreement Initial Funding Form  
 FOR THE USE OF THE STATE & LOCAL  
 OVERTIME AND AUTHORIZED EXPENSE/STRATEGIC INITIATIVE**

OCDETF Case #: WC-MOW-0372

Amount Requested: \$ 16,748.00  
*This amount should be entered on Page 1 of the Reimbursable Agreement.*

*Please note: The amount requested should cover your active investigation plan from the agreement start date (which cannot be prior to the case approval date. Proactive funding analysis will be conducted to determine the need for additional funds throughout the life of the agreement.*

**Agreement Activity:** *(Please check all that apply)*

- Surveillance    
  Takedown    
  Trial/Court    
  Wire    
  Approved Pending    
  Other

*If Other, please describe the type of investigative activity the State & Local Agency will be participating in:*

The Jackson County Drug Task Force (JCDF) is actively playing a major investigative role in this OCDETF investigation. JCDF conducts UC activity, surveillance, seizures, arrests, transportation of arrestees, foreign language translations, and other critical functions. JCDF is a critical partner in this investigation.

**Factors to Consider when Determining the Initial Agreement Amount:** *(Required)*

Average Officer Overtime Rate::	Estimated overtime hours for your active investigation plan, from the agreement start date.	Prior year agreement spending, if any
<u>\$ 53.00</u>	<u>316.00</u>	<u>\$ 8,243.11</u>

*Please provide a brief explanation on how the initial funding amount was determined, if other factors were considered:*

Estimated overtime hours based on projections provided by JCDF investigators and HSI special agents actively conducting this investigation.

This Agreement is between the above-named State & Local Law Enforcement Organization and the Organized Crime Drug Enforcement Task Forces (OCDETF) Program. This Agreement shall be effective when signed by an authorized State & Local Organization official, the sponsoring Federal Agency Special Agent-In-Charge, the sponsoring Agency Regional OCDETF Coordinator, the Assistant United States Attorney Regional OCDETF Director, and the OCDETF Executive Office.

1. It is agreed that the State & Local Law Enforcement officers named on this Agreement will assist in OCDETF Investigations, Strategic Initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Forces State & Local Overtime and Authorized Expense/Strategic Initiative Programs, Policies and Procedures Manual, Fiscal Year 2023.
2. No individual agreement with a State & Local Organization may exceed \$25,000, and the cumulative amount of OCDETF State & Local overtime monies that may be expended on a single OCDETF investigation in a single fiscal year may not exceed \$50,000 without express prior approval from the OCDETF Executive Office. The OCDETF EXO will entertain requests to exceed these funding levels; however, there will be increased scrutiny from management pursuant to levels of funding needed. To receive approval to exceed this level of funding, a Cap Waiver Request Form approved by the Regional Director, must be sent to the to the OCDETF Internal Auditor and OCDETF Budget Mailbox ([ocdetf.budget.mailbox@usdoj.gov](mailto:ocdetf.budget.mailbox@usdoj.gov)).
3. Each reimbursable agreement will be allowed no more than five (5) modifications per year. Amendments or changes in the amount of the agreement after an agreement has been executed must be agreed to by all approving officials. If the funds for a particular agreement are completely deobligated with the intention of closing that agreement, it will not count as a modification for purposes of this policy. As a best practice, no increase modifications should be submitted if there are no bills entered on the agreement in MIS. These amendments or changes must be transmitted by a Modification Memo, signed by the Regional OCDETF Director, or designee, and sent to the OCDETF Executive Office in a timely manner not to exceed thirty (30) days. Deobligations only require the initials of the OCDETF Program Specialist. The signed Modification Memo should be returned to the State & Local Organization and included in the region's State & Local agreement file and be available upon request.
4. If an agreement does not have a bill entered in MIS within ninety (90) days of the agreement funding date (in MIS) or ninety (90) days between the last bill payment date (in MIS), the funds should be deobligated. [For example, if an agreement is dated October 1st, and there is no activity by December 30th, the agreement's funds should be deobligated.] The Regional Program Specialist Assistant/Program Specialist will run a 90-day inactivity report from MIS monthly to identify inactive agreements eligible for deobligation. The OCDETF EXO will assist with the monitoring of the aging agreements. Further, if a State & Local Organization determines that it is no longer performing work under a particular agreement, a Funding Change Notification (modification memo) identifying the amount to be deobligated should be submitted to the OCDETF EXO as soon as possible.
5. The State & Local Law Enforcement Organization agrees to provide experienced drug Law Enforcement officers who are identified in this Agreement to work on the specified OCDETF Investigation or Strategic Initiative. Any change in Law Enforcement officers assigned must be agreed to by all approving officials.
6. Officers who are not deputized shall possess no Law Enforcement authority other than that conferred by virtue of their position as a commissioned officer of their parent Agency.
7. Officers who are deputized may possess Federal Law Enforcement authority as specified by the Agency affording the deputation.

8. Any State & Local officers assigned to an OCDETF Investigation or Strategic Initiative in accordance with this Agreement are not considered Federal employees and do not take on the benefits of Federal employment by virtue of their participation in the Investigation or Strategic Initiative.
9. Officers assigned to OCDETF investigations or Strategic Initiatives are expected to work full-time (as defined by the State & Local Organization) on the Investigation(s) or Strategic Initiative(s) to be paid overtime. To satisfy the "full-time" expectation, a Law Enforcement Officer should work forty (40) hours per week as defined by the State & Local Organization or eight (8) hours per day on a single or multiple OCDETF investigation(s) or Strategic Initiative(s). Any established exceptions or waivers to this definition shall be approved by the RCG and attached as an Addendum A to the agreement. Officers not meeting the full-time expectation will not be reimbursed for overtime without an approved exception or waiver in the Addendum A. If the Addendum A allows for zero regular hours to be worked, it must also limit the number of overtime hours allowed in a billing month with zero regular hours (the limit established is up to the discretion of the RCG but should be explicitly mentioned in Addendum A if allowed).
10. Analysis of reimbursement claims by the Regional Coordination Group may result in a modification of the obligation of funds contained within this Agreement as well as the time period covered. The Organization affected by any such modification will receive a memo notifying them of the changes.
11. Overtime payments, including all other non-OCDETF Federal sources (such as Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) may not, on an annual per person basis, exceed 25% of the current approved Federal salary rate in effect at the time the overtime is performed. The State & Local Organization is responsible for ensuring that this annual payment is not exceeded. The Regional Program Specialist Assistant/OCDETF Program Specialist will monitor these payments via MIS and communicate to the Federal Agency Regional OCDETF Coordinators who provide status updates to any officer approaching the threshold.
12. The overtime log must be attached to the reimbursement request when submitting the monthly invoices. The Sponsoring Federal Agency Supervisory Special Agent and the State & Local official authorized to approve the Reimbursement Request must certify that only authorized expenses are claimed, the regular hours requirement is satisfied, and that overtime has not exceeded 25% of the current Federal salary rate in effect at the time the overtime was worked.
13. Under no circumstances will the State & Local Organization charge any indirect costs for the administration or implementation of this Agreement.
14. The State & Local Law Enforcement Organization shall maintain for a period of six (6) years, complete and accurate records and accounts of all obligations and expenditures of funds under the agreement in accordance with generally accepted accounting principles to facilitate on-site inspection and auditing of such records and accounts.
15. The RCG is also responsible for identifying and implementing any additional policy requirements for its specific region, as needed. Those regional policies will be documented in the Addendum B and attached to the approved agreement. The agencies are agreeing to adhere to these additional requirements and must have written approval by the RCG for any exceptions to the regional policies.
16. Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the agreement. Under no circumstances may a State & Local Agency include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment.

OCDETF will only reimburse an actual dollar (\$) amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.

17. The State & Local Organization shall permit examination and auditing by representatives of the OCDETF Program, the sponsoring Federal Agency(ies), the U.S. Department of Justice, the Comptroller General of the United States, and/or any of their duly authorized agents and representatives, of all records, documents, accounts, invoices, receipts, or expenditures relating to this Agreement. Failure to provide proper documentation will limit State & Local Law Enforcement Organizations from receiving OCDETF funding in the future.
18. The State & Local Organization will comply with Title VI of the Civil Rights Act of 1964 and all requirements applicable to OCDETF Agreements pursuant to the regulations of the Department of Justice (see, e.g., 28 C.F.R. Part 42, Subparts C and G; 28 C.F.R. 50.3 (1991)) relating to discrimination on the grounds of race, color, sex, age, national origin or handicap.
19. This Agreement may be terminated by any of the parties by written notice to the other parties ten (10) business days prior to termination. Billing for outstanding obligations shall be received by OCDETF within thirty (30) days of the notice of termination.
20. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. Participants are required to register in SAM.gov to receive reimbursements; registration information will be provided upon request. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the time period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State & Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF Investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of funds per the approval and signature of the OCDETF Executive Office obligating authority. The OCDETF Executive Office will approve and certify that all the terms and conditions of the Agreement have been met.

Each Agreement must be approved and signed by a State & Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement officers to the OCDETF Investigation or Strategic Initiative.



Approved By:  OIC 08/31/23  
*Authorized State & Local Official* *Title* *Date*

*Print Name*  
Approved By: STELLA OWENS Digitally signed by STELLA OWENS  
Date: 2023.08.31 15:21:17 -05'00' 8/31/2023  
*Sponsoring Federal Agency Special Agent in Charge or Designee* *Date*  
SOWens

*Print Name*  
Approved By: SHAWN P KIRBY Digitally signed by SHAWN P KIRBY  
Date: 2023.08.31 15:38:40 -05'00'  
*Sponsoring Agency Regional OCDETF Coordinator* *Date*

Approved By:  9/6/2023  
*Assistant United States Attorney Regional OCDETF Director/Program Specialist* *Date*

Funds are encumbered for the State & Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Approving Official: \_\_\_\_\_  
*OCDETF Executive Office* *Date*

**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES  
OCDETF State and Local Overtime Policies and Procedures**

**West Central Region Addendum A**

Definition of "Full-Time Participation" Exemption

The "full-time" rule states:

Officers assigned to an OCDETF investigation are expected to work full-time (e.g. eight hours per day, 40 hours per week) on the single investigation **or multiple OCDETF investigations; i.e. the officer/agent is working more than one OCDETF investigation or he/she is assigned to a task force working exclusively OCDETF investigations.** The parent State or local agency must pay the base salary of these officers.

However, given the size of narcotics units in most of the departments in this Region and the increasing demands being placed on these units, the West Central Regional Coordination Group has determined that some flexibility in application of the full-time rule is required. To that end the following policy best meets the demand of significant contribution by the State or local agency and the flexibility required to meet all the law enforcement demands:

**An agent/officer can work/claim up to a maximum of 16 hours per month of overtime without working any regular hours on an OCDETF investigation.**

**Additionally, there may be exceptions granted for special circumstances for one-time events such as T-III surveillance, canine searches, aerial surveillance, controlled deliveries, etc. All special circumstances **MUST** be approved in writing via email by the OCDETF Agency Regional Coordinator prior to use. If special circumstances are **NOT** approved in advance, the exception will not be granted.**

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** transferring \$242,374.00 within the 2023 Sheriff's Office General Fund and appropriating \$302,374.00 from the undesignated fund balance of the 2023 General Fund, in acceptance of the Sheriff's Office's DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the acceptance and expenditure of grant funds.

**ORDINANCE NO. 5799**, October 2, 2023

**INTRODUCED BY** Venessa Huskey, County Legislator

WHEREAS, the Sheriff's Office has been awarded a grant in the amount of \$302,374.00 by the Missouri Department of Transportation, Traffic and Highway Safety Division, for the purpose of funding a six-person DWI/Traffic Safety Unit and the cost of one new vehicle with equipment for its use, for the period of October 1, 2023, to September 30, 2024; and,

WHEREAS, the Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Traffic and Highway Safety Division; and,

WHEREAS, this grant is subject to a local funds match in the amount of \$242,374.00; and,

WHEREAS, a transfer and appropriation are necessary to place the grant and matching funds in the proper spending accounts; now therefore,

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

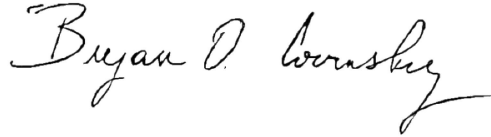
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Sheriff			
001-4201	55010- Regular Salaries	\$242,374	
001-9999	32810- Undesignated Fund Balance	\$302,374	
Sheriff's Traffic Unit			
001-4202	55010- Regular Salaries		\$360,546
001-4202	55030- Overtime Salaries		\$15,748
001-4202	55038- Uniform Allowance		\$7,200
001-4202	55040- FICA Taxes		\$25,669
001-4202	55050- Pension Contribution		\$33,555
001-4202	55060- Insurance Benefits		\$42,030
001-4202	58115- Sheriff Vehicle Equipment		\$18,000
001-4202	58120- Automobiles		\$42,000

and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached grant 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:



\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5799 introduced on October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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. 5799.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

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


ACCOUNT NUMBER: 001 4201 55010  
ACCOUNT TITLE: General Fund  
Sheriff  
Regular Salaries  
NOT TO EXCEED: \$242,374.00

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

ACCOUNT NUMBER: 001 9999 32810  
ACCOUNT TITLE: General Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$302,374.00

09/28/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvia Stevenson (Sep 28, 2023 10:09 CDT)

\_\_\_\_\_  
Chief Administrative Officer

# CONTRACT

Form HS-1

Revision Reason: Other

Version: 2

06/23/2023

**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:** Dedicated Impaired Driving Enforcement  
**Project Number:** 24-154-AL-082  
**Project Category:** Transfer  
**Program Area:** 154/164 Alcohol  
**Funding Source:** 154 AL / 20.607

**Name of Grantee**  
Jackson County Sheriff's Office

**Type of Project:** Initial

**Grantee County**  
Jackson

**Started:** 10/01/2023

**Grantee Address**  
4001 NE Lakewood Court  
  
Lee's Summit, MO 64064-1703

**Federal Funds Benefiting**

<b>State:</b>	
<b>Local:</b>	\$302,373.84
<b>Total:</b>	\$302,373.84

<b>Telephone</b>	<b>Fax</b>
816-541-8017	816-795-1969

**Source of Funds**

<b>Federal:</b>	\$302,373.84
<b>State:</b>	
<b>Local:</b>	\$242,373.84
<b>Total:</b>	\$544,747.68

**Contract Period**

**Effective:** 10/01/2023  
**Through:** 09/30/2024

**Prepared By**  
Wilson, Scott

<b>Subrecipient Authorizing Official</b>	<b>Date</b>
<b>Subrecipient Project Director</b>	<b>Date</b>
<b>MHTC Authorizing Official</b>	<b>Date</b>

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$302,373.84**; 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 and each subrecipient 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. 25024, Pub. L. 117-58
- 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 AND SOFTWARE**

**A. PROCUREMENT:** Subrecipient's may adhere to its own procurement regulations and procedures which reflect applicable state/local laws, rules, and regulations provided such regulations and procedures adhere to the following State's procurement regulations and procedures:

1. Have a process in place to ensure that contracts are not awarded to contractors or individuals on a federal and/or state debarment list.
2. All procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition.
3. All quotations and the rationale behind the selection of a source of supply must be retained, attached to the purchase order copy (as applicable), and placed in the accounting files.
4. Purchases to a single vendor estimated to total less than \$10,000 may be purchased with prudence on the open market.
5. Purchases to a single vendor estimated to total \$10,000 or more but less than \$100,000 must be competitively bid, or purchased through use of a state cooperative procurement, but need not be solicited by mail or advertisement.
6. Purchases to a single vendor estimated to total \$100,000 or more must:
  1. be advertised for bid in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders (and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public) at least five days before bids for such purchases are to be opened;
  2. post a notice of the proposed purchase in a public area of the Subrecipient's office ; and
  3. solicit bids by mail or other reasonable methods generally available to the public from prospective suppliers.
7. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services, and that all necessary affirmative steps are taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322)
8. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . Equipment purchased late in the fiscal year risks not being reimbursed unless extenuating circumstances are encountered (i.e. supply chain shortages).

**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. The MHTC will notify the subrecipient when an item of original cost of \$5,000 or more (and tracked by the MHTC as inventory) is no longer being



tracked and may be disposed of. 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. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.

**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](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. Unique entity identifier (generated by *SAM.gov*);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
  - A. 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
  - B. 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, if an award no longer effectuates the program goals or MHTC priorities. 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, and in the case of partial termination the portion of the award to be terminated.

**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);
- **49 CFR part 21** (entitled Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964); **28 CFR 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- **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);

CONTRACT CONDITIONS - PAGE 5

- **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);
- **Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government** (advancing equity across the Federal Government); and
- **Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation** (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

- A. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (e) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
- B. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:  
*"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*
- C. The Recipient will insert the clauses of appendix A and E of DOT Order 1050.2A in every contract or agreement subject to the Acts and the Regulations.
- D. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
- E. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
- F. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

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- G. That the Recipient will include the clauses set forth in appendix C and appendix D of DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - 1. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - 2. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- H. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - 1. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - 2. the period during which the Recipient retains ownership or possession of the property.
- I. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
- J. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

**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. Crash Reporting Chapter 43.250 RSMo - Law enforcement officers to file all crash reports with Missouri State Highway Patrol (MSHP).
- 3. Uniform Crime Reporting Chapter 43.505 RSMo - Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
- 4. Racial Profiling Chapter 590.650 RSMo - Law enforcement agency to file a report to the Attorney General each calendar year.
- 5. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201.

**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 and /or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal , Subrecipient shall submit a written or email 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. All final modification requests must be submitted no later than September 30 of the project fiscal year.
- 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. **LAWS 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 ORIENTATION AND AUDIT INFORMATION**

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405e	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs
405g	20.616	National Priority Safety Programs
405h	20.616	National Priority Safety Programs
405i	20.616	National Priority Safety Programs

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

**(Applies to subrecipients as well as States)**

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 Tier Participant 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 1200.
- 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.

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- D. The prospective primary tier 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 and 1200. 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 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.
- G. The prospective primary 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," 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 1200.
- 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 System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

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

- 1. The prospective primary tier 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;
  - 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 Participant 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 1200.



- 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. 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 the department or agency with which this transaction originated.
- 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 1200.
- 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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, 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 or debarment.

*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, motorcycles, trailers, and other similar conveyances must be manufactured or assembled in the United States of America regardless of cost.

<https://www.nhtsa.gov/sites/nhtsa.gov/files/buy-america-act-revised-11202015.pdf>

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

**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 and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**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.

**XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS**

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

**XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE**

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

**XXXI. CERTIFICATION ON CONFLICT OF INTEREST  
(Applies to subrecipients as well as States)**

General Requirements

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate , make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

- A.** The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers , employees, or agents.
  - 1.** The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - 2.** The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
- B.** The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

- A.** The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
- B.** NHTSA will review the disclosure and may require additional relevant information from the recipient . If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict .
- C.** Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization .

## **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. If the minimum number of students cannot be ensured, the subrecipient should contact the MHTC Highway Safety Office to seek approval to proceed with the 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 is expected to participate in associated 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, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejts.org>.
- 5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training (POST) certified law enforcement officer will be reimbursed.
- 6. 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 annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact or Operation Gateway (traffic safety task forces).

**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 crackdowns 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.

**G. PURSUIT POLICIES**

Law enforcement agencies are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))

## PROBLEM IDENTIFICATION

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Substance-impaired drivers contributed to 22.0 percent of Missouri's traffic crash fatalities during the past five years. Alcohol remains the primary contributor to substance-impaired driving crashes; however, the number of persons under the influence of prescription medications and/or illicit drugs continues to increase. Male drivers were more likely than females to be involved in substance-impaired driving crashes. During the past five years, males were responsible for 81.7 percent of substance-impaired driving fatalities. Ten percent of the children less than 15 years of age, who were killed in motor vehicle crashes over the last five years, were riding with a substance-impaired driver.

Jackson County impaired driving crashes (as reported by MSHP crash data):

2016 - 816  
2017 - 859  
2018 - 814  
2019 - 894  
2020 - 986  
2021 - 1,048  
2022 - 862

Jackson County impaired driving fatal crashes (as reported by MSHP crash data):

2016 - 16  
2017 - 16  
2018 - 8  
2019 - 8  
2020 - 20  
2021 - 17  
2022 - 16

Viewing the last seven (7) years of data for Jackson County, 2020 and 2021 produced the highest number of impaired driver crashes, as well as impaired driver fatalities. This is almost certainly a direct reflection of the declined enforcement by police due to the COVID-19 pandemic. As traffic enforcement resurged following the pandemic, the number of impaired driving crashes dropped by nearly 18% in 2022.

As long as the number of impaired driver crashes is higher than zero, there will always be a need for dedicated impaired driving enforcement. When considering the efficiency of DWI enforcement conducted by patrol deputies versus full-time DWI enforcement deputies, keep the following in mind:

A patrol deputy receives initial DWI investigation training at the academy, and possibly refreshers once or twice in his or her career. That deputy performs SFST (Standardized Field Sobriety Testing) only a few times a year, or not at all, and is thus not comfortable with them. A Patrol Deputy is subject to the pressures of call volume and other serious crimes, and may not invest the time in DWI investigations. They are typically viewed by the public as "just another cop" who may, or may not be pursuing DWI offenders. Additionally, the patrol deputy may not recognize cases of drug-impaired driving, or other non-alcohol impaired driving cases.

A dedicated DWI enforcement deputy receives regular continuing education in DWI enforcement, including legal updates and training. A dedicated DWI enforcement deputy conducts SFSTs on a regular basis, and is very proficient in his or her impaired driving investigation, as well as testifying in court. A dedicated DWI deputy is not subject to call volume, and can therefore be proactive in identifying impaired drivers, and making the arrest, rather than simply responding to a crash caused by an impaired driver, when property damage, injury, or a fatality may have already occurred.

The Highway Safety & Traffic Division, in the Problem Identification section of all DWI enforcement grant applications for fiscal year 2022, identified the problem of drugged drivers accounting for a significantly higher amount of impaired driving traffic crashes. Lack of training, know how, or desire of a large amount of the law enforcement community has led to drugged drivers not being properly identified when contacted and removed from the roadways. Failure to recognize this impairment, or discretionary decisions by officers to not investigate the impairment due to the nature of the contact are believed to contribute to the increase in drugged driving crashes.

When agencies such as the Sheriff's Office have dedicated DWI enforcement units working, the units frequently respond to calls

from patrol regarding drugged drivers, as the average patrol deputy doesn't feel comfortable investigating these situations. In incidences when the TSU was contacted to handle these types of contacts, even by outside agencies, many drugged driving investigations have resulted in arrests that otherwise would not have been made. During fiscal year 2022, the Traffic Safety Unit arrested 555 subjects for driving while intoxicated. During that same period, deputies assigned to patrol, and other divisions of the Sheriff's Office arrested 20.

When viewing strictly drug impaired crashes during the past seven (7) years, Jackson County ( as reported by MSHP crash data):

2016 - 163

2017 - 102

2018 - 160

2019 - 173

2020 - 230

2021 - 222

2022 - 136

Due to the recent legalization of recreational marijuana use in the state of Missouri, it is anticipated that drug impaired crashes will increase as a result. A study published in the Journal of Studies on Alcohol and Drugs, states that legalized recreational marijuana had an increase in traffic crashes and deaths. According to Charles M. Farmer, Ph.D., of the Insurance Institute for Highway Safety in Ruckersville, VA., after legalization and the launch of retail sales, there was a 5.8% rise in the incidence of traffic collision injuries and a 4.1% increase in the rate of fatal crashes in five states that permit people age 21 and older to consume marijuana recreationally. In a comparative group of states without marijuana legalization, the researchers did not see any rise during the same period.

## GOALS/OBJECTIVES

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### Core Performance Measure Goals

1. Based on our goal of 0 fatalities by 2030, Missouri is projecting a five-year average target of 276.8 alcohol-impaired driving involved fatalities by December 31, 2023.

Illustrated by the data in the Problem Identification section, Jackson County impaired driving traffic crashes increased dramatically in the calendar year 2020 & 2021. This was a failure in the goals set for the TSU, however this failure was mitigated by the change of personnel, and COVID-19 restrictions which were placed upon the agency preventing proactive enforcement during a large portion of those years.

If the imperial data from calendar year 2020 and 2021 was discarded, it would show that the focused enforcement by the TSU has brought about significant decreases in previous years. The relationship between the sharp decline and the number of DWI related arrests are intrinsically linked. The Traffic Safety Unit proposes the following goals, to be pursued by TSU and our partners going forward in 2024:

- 8 or fewer impaired driving fatalities 2024
- 6 or fewer impaired driving fatalities 2025
- 5 or fewer impaired driving fatalities 2026

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 in Jackson County in 2018 & 2019 over the previous 2 years. If we can cut the number of fatalities in half once, we can certainly make it our goal to do it again. In pursuit of this goal, the Traffic Safety Unit has the following objectives:

1. Field a dedicated DWI Enforcement Unit, the Traffic Safety Unit, of five deputies and one sergeant.
2. Perform as a full-time saturation patrol. The NHTSA publication "Countermeasures that Work," 9th Edition (2017), identified Saturation Patrols as the second most effective enforcement method that can be used to address impaired driving. The TSU works as a unit, every shift. The supervisor and all deputies work the same hours, and work in small geographical areas (which change based on day of week, time, and most recent crash data). We are, therefore, a saturation patrol in and of ourselves during each shift that we work.
3. Continue to develop as leaders in DWI enforcement among the law enforcement community in the Kansas City metro. The TSU has assisted outside agencies on a regular basis during past fiscal years, By assisting with DWI investigations that result from crashes, and traffic stops made by patrol deputies and officers from outside agencies. The TSU will continue to develop this leadership role.
4. Engage the other interested parties in pursuit of the goal. The TSU will share our goals with the public, other law enforcement agencies, the Jackson County Traffic Safety Task Force, MADD, the Highway Safety & Traffic Division, and others. We will provide updates on progress made. This will involve maintaining an active awareness of traffic crashes in Jackson County as they occur.
5. Utilize the Type II operators within the TSU to educate the newer members of the Sheriff 's Office, and any outside agencies on basic identification and interdiction of impaired drivers. This training will be made a priority by the Sheriff's Office and will be taught during in service training. This action will substantially increase the number of eyes on the streets working to identify and interdict impaired drivers on Jackson County roadways.
6. Identify, interdict, and apprehend 500 or more impaired drivers and forward all cases to successful prosecution.



## PROJECT DESCRIPTION

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The JCSO Traffic Safety Unit functions like an organized saturation patrol on all deployment periods and is currently staffed with 1 sergeant and 5 deputies. The amount of arrests made for impaired drivers by the unit has continued to increase since 2014, with the following number of impaired driving arrests for the last three calendar years:

2020 - 293

2021 - 439

2022 - 539

The DWI arrests made over the last 3 years was accomplished without the assistance of sobriety checkpoints, but rather targeted enforcement. The TSU saturates areas which historically have the highest percentage of alcohol related traffic crashes which coincide with larger associated entertainment districts.

## 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 MIBRS 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 style="padding-left: 40px;">The JCSO has struggled the last three years in spending all provided funding for HMV enforcement. 2020 and 2021 can be attributed to the COVID-19 pandemic, however 2022's funding seems to be limited interest in enforcement outside most Deputy's primary job description. Part of this can be attributed to the limited radar/lidar availability. It should be noted, the Sheriff's Office has recently requested, and been approved county funds to purchase ten vehicle mounted radar units for 2023, and another 10 will be requested for 2024. This will likely encourage deputies to actively work HMV 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 UEI 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.	567
19 Total number of speeding citations written by your agency.	784
20 Total number of HMV citations written by your agency.	1272
21 Total number of child safety/booster seat citations written by your agency.	8
22 Total number of safety belt citations written by your agency.	10
23 Total number of warnings issued.	2025

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.	65650
25 Total number of traffic crashes resulting in a fatality.	327
26 Total number of traffic crashes resulting in a serious injury.	17863
27 Total number of speed-related traffic crashes.	6701
28 Total number of speed-related traffic crashes resulting in a fatality.	154
29 Total number of speed-related traffic crashes resulting in a serious injury.	2523
30 Total number of alcohol-related traffic crashes.	2354
31 Total number of alcohol-related traffic crashes resulting in a fatality.	52
32 Total number of alcohol-related traffic crashes resulting in a serious injury.	956
33 Total number of unbuckled fatalities.	143
34 Total number of unbuckled serious injuries.	350

Enter your agency's information below.

35 Total number of commissioned law enforcement officers.	91
36 Total number of commissioned patrol and traffic officers.	33
37 Total number of commissioned law enforcement officers available for overtime enforcement.	83

38	Total number of vehicles available for enforcement.	91
39	Total number of radars/lasers.	7
40	Total number of in-car video cameras.	59
41	Total number of PBTs.	8
42	Total number of Breath Instruments.	8

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 DWI/Traffic 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 24 Highway.  
 US 71 Highway  
 US 350 Highway  
 US 40 Highway

Within the city limits of Kansas City:

Main street, Broadway Boulevard, I-35 and I-670/I-70, Southwest Boulevard, Southwest Traffic way, West 39th St., Pennsylvania Avenue J.C. Nichols Park way, and Penn way Park way, and in the Mid-town Kansas City area. The DWI/Traffic Unit will conduct enforcement operations throughout the entire Jackson County area, with targeted enforcement at specific locations based on up to date crash data.

44 Enter the number of enforcement periods your agency will conduct each month. 16

45 Enter the months in which enforcement will be conducted.

October through September, all months.

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

Tuesday: Eastern Jackson County from the eastern-most county line to I435 to the west, with primary focus on I70, I435, US 24 Highway, US 40 Highway, MO 291, and I470.

Wednesday: Eastern Jackson County from the eastern-most county line to I435 to the west, with primary focus on I70, I435, US 24 Highway, US 40 Highway, MO 291, and I470.

Thursday: Main street, Broadway Boulevard, I-35 and I-670/I-70, Southwest Boulevard, Southwest Traffic way, West 39th St., Pennsylvania Avenue J.C. Nichols Parkway, and Pennway Parkway, in the Mid-town Kansas City area.

Friday: Main street, Broadway Boulevard, I-35 and I-670/I-70, Southwest Boulevard, Southwest Traffic way, West 39th St., Pennsylvania Avenue J.C. Nichols Parkway, and Pennway Parkway, in the Mid-town Kansas City area.

These locations are primary locations only, and chosen based on the most up to date crash data. Enforcement locations may change at times due to special circumstances such as entertainment events, concerts, sporting events, etc.

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

Tuesday through Friday 6:00pm to 4:00am is the primary schedule for the TSU, with Saturdays being reserved for special enforcement/saturation patrols.

It must be clarified that from time to time, adjustments to schedules and assignment must be made when staffing is low, however such adjustments will only be made when they are necessary and unavoidable. This would include times when a patrol squad has experienced a critical staffing shortage, or during special assignments involving traffic control.

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

6

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

We are requesting HSD fund the purchase of two additional 2023 Dodge Durango patrol vehicles, with all associated emergency equipment. The vehicles will be specifically and primarily utilized for DWI enforcement and assigned exclusively to the members of the Traffic Safety Unit.

These vehicles will replace the currently utilized 2019 Dodge Durango (Purchased by HSD) and 2020 Dodge Durango. (Purchased by HSD) The mileage for both vehicles is 55,048 and 54,198 respectively.

## PROJECT EVALUATION

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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, or education materials produced or purchased)
  - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic 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.

It is very difficult to evaluate what may have been prevented as a result of an impaired driver arrest , as well as knowing exactly how many impaired drivers are on the roadways at any given time. It is believed a comparison of the number of arrests made during the same date/time and/or location from previous years, in addition to utilizing the MSHP's crash mapping tool to track drug/alcohol related crashes will measure the success of this project.

**ADDITIONAL FUNDING SOURCES**

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**BUDGET**

Category	Item	Description	Quantity	Cost	Total	Local	Total Requested
<b>Equipment</b>							
	Vehicle	Dodge Durango (current year)	1.00	\$42,000.00	\$42,000.00	\$0.00	\$42,000.00
	Other	Dodge Durango - Emergency Equipment	1.00	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00
	Video Camera	Watchguard 4RE Camera System	1.00	\$5,500.00	\$5,500.00	\$0.00	\$5,500.00
					<b>\$60,000.00</b>	<b>\$0.00</b>	<b>\$60,000.00</b>
<b>Personnel</b>							
	Salary and Fringe	2,080 hours of dedicated impaired driving enforcement for one Sergeant level 2, one Deputy level 5, two Deputy level 3, Two Deputy level 1, Totaling as follows:  Salary:\$335,545.60 FICA: \$25,669.25 Pension: \$33,554.56 Work Comp/Health Insurance: \$42,030.44 Uniform Allowance: \$7200.00 Holiday Overtime Pay: \$15,747.84 Addtl \$25,000 for salary overage	1.00	\$484,747.68	\$484,747.68	\$242,373.84	\$242,373.84
					<b>\$484,747.68</b>	<b>\$242,373.84</b>	<b>\$242,373.84</b>
<b>Total Contract</b>					<b>\$544,747.68</b>	<b>\$242,373.84</b>	<b>\$302,373.84</b>



## ATTACHMENTS

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<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
PDF	PDF Document	County Authorization F.T.	02/22/2023

# Request for Legislative Action

Ord. #5799  
Sponsor: Venessa Huskey  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5799
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Authorize', 'Appropriate']
<b>Project/Title:</b>
Appropriating \$302,374 from the undesignated fund balance of the 2023 General Fund and transferring \$242,374 from the Sheriff's Office 2023 General Fund, in acceptance of the Sheriff's Office DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. Project Number 24-154-AL-082.

Request Summary
<p>The Sheriff's Office has been awarded a grant in the amount of \$302,374 by the Missouri Department of Transportation, Highway Safety and Traffic Division, for the purpose of funding a six-person DWI/Traffic Safety Unit and the cost of one new vehicle with equipment for use the by DWI Traffic Unit, for the period of October 1, 2023, to September 30, 2024. The grant is subject to a local match in the amount of \$242,374. Project Number 24-154-AL-082.</p> <p>The Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Highway Safety and Traffic Division. An appropriation is necessary to place the grant funds in the proper spending accounts.</p> <p>001-4202-55010 General Fund – Traffic Unit – Regular Salaries \$360,546 001-4202-55030 General Fund – Traffic Unit – Overtime Salaries \$15,748 001-4202-55038 General Fund – Traffic Unit – Uniform Allowance \$7,200 001-4202-55040 General Fund – Traffic Unit – FICA Taxes \$25,669 001-4202-55050 General Fund – Traffic Unit – Pension Contributions \$33,555 001-4202-55060 General Fund – Traffic Unit – Insurance Benefits \$42,030 001-4202-58115 General Fund – Traffic Unit – Sheriff Vehicle Equipment \$18,000 001-4202-58120 General Fund – Traffic Unit – Automobiles \$42,000</p>

Contact Information			
<b>Department:</b>	Sheriff	<b>Submitted Date:</b>	9/19/2023
<b>Name:</b>	Elizabeth A. Money	<b>Email:</b>	EMoney@jacksongov.org
<b>Title:</b>	Office Administrator	<b>Phone:</b>	816-541-8017

## Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$544,748
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$544,748
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
001 (General Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$302,374
001 (General Fund)	4201 (Sheriff)	55010 (Regular Salaries)	\$242,374
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55010 (Regular Salaries)	\$360,546
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55030 (Overtime Salaries)	\$15,748
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55038 (Uniform Allowance)	\$7,200
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55040 (FICA Taxes)	\$25,669
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55050 (Pension Contribution)	\$33,555
001 (General Fund)	4202 (Sheriff's Traffic Unit)	55060 (Insurance Benefits)	\$42,030
001 (General Fund)	4202 (Sheriff's Traffic Unit)	58115 (Sheriff Vehicle Equipment)	\$18,000
001 (General Fund)	4202 (Sheriff's Traffic Unit)	58120 (Automobiles)	\$42,000

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5685	October 24, 2022
5565	November 12, 2021
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of	No

## Request for Legislative Action

supplies, materials, equipment or services?	
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>	

## Request for Legislative Action

### History

Submitted by Sheriff requestor: Elizabeth A. Money on 9/19/2023. Comments:

Approved by Department Approver Michael L. Montgomery on 9/19/2023 1:28:50 PM. Comments:

Not applicable by Purchasing Office Approver Craig A. Reich on 9/20/2023 9:05:49 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:43:38 AM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 9/20/2023 10:48:38 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylvia Stevenson on 9/20/2023 11:16:44 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:06:28 PM. Comments:

## Supplemental Appropriation Request Jackson County, Missouri

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

Date: September 20, 2023

ORD #	5799
eRLA #	1,086

Department / Division	Character/Description	From	To
<b>General Fund - 001</b>			
4201 - Sheriff	55010 - Regular Salaries	242,374	
9999 - Non Specific	32810 - Undesignated Fund Balance	302,374	
4202 - Sheriff's Traffic Unit	55010 - Regular Salaries		360,546
4202 - Sheriff's Traffic Unit	55030 - Overtime Salaries		15,748
4202 - Sheriff's Traffic Unit	55038 - Uniform Allowance		7,200
4202 - Sheriff's Traffic Unit	55040 - FICA Taxes		25,669
4202 - Sheriff's Traffic Unit	55050 - Pension Contribution		33,555
4202 - Sheriff's Traffic Unit	55060 - Insurance Benefits		42,030
4202 - Sheriff's Traffic Unit	58115 - Sheriff Vehicle Equipment		18,000
4202 - Sheriff's Traffic Unit	58120 - Automobiles		42,000
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>APPROVED</b>  <i>By Sarah Matthes at 10:48 am, Sep 20, 2023</i> </div>		\$ 544,748	\$ 544,748

Budgeting

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** appropriating \$34,600.00 from the undesignated fund balance of the 2023 Grant Fund in acceptance of the Sheriff's Office's Impaired Driving Enforcement grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

**ORDINANCE NO. 5800**, October 2, 2023

**INTRODUCED BY** Venessa Huskey, County Legislator

WHEREAS, the Missouri Department of Transportation, Highway Safety and Traffic Division, has awarded the Sheriff's Office an Impaired Driving Enforcement grant in the amount of \$34,600.00, for the period of October 1, 2023, through September 30, 2024; and,

WHEREAS, this grant is not subject to a local match; and,

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

WHEREAS, the Sheriff recommends the use of the grant funds for reimbursement of overtime necessary for establishing sobriety checkpoints and other alcohol-enforcement activities and for travel and training expenses of unit personnel; and,

WHEREAS, an appropriation is necessary to place the 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 2023 Grant Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund			
Impaired Driving Enforcement			
010-4234	45984- Increase Revenues	\$34,600	
Non-Specific			
010-9999	32810- Undesignated Fund Balance		\$34,600
010-9999	32810- Undesignated Fund Balance	\$34,600	
Impaired Driving Enforcement			
010-4234	55030- Overtime Salaries		\$28,797
010-4234	55040- FICA Taxes		\$2,203
010-4234	56756- Training Expense		\$3,600

and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached 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:

*Bryan D. Worsky*

\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5800 introduced on October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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. 5800.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 010 9999 32810  
ACCOUNT TITLE: Grant Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$34,600.00

09/28/2023

*Sylvia Stevenson*  
\_\_\_\_\_  
Sylvia Stevenson (Sep 28, 2023 10:09 CDT)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer

# CONTRACT

Form HS-1

Version: 1

05/12/2023

**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:** Impaired Driving Enforcement  
**Project Number:** 24-M5HVE-03-008  
**Project Category:** 405d Mid HVE  
**Program Area:** Impaired Driving

**Funding Source:** 405d / 20.616

**Type of Project:** Initial

**Started:** 10/01/2023

**Name of Grantee**  
Jackson County Sheriff's Office

**Grantee County**  
Jackson

**Grantee Address**  
4001 NE Lakewood Court

Lee's Summit, MO 64064-1703

**Telephone**  
816-541-8017

**Fax**  
816-795-1969

### Federal Funds Benefiting

**State:**

**Local:** \_\_\_\_\_ \$34,600.00

**Total:** \$34,600.00

### Source of Funds

**Federal:** \$34,600.00

**State:**

**Local:** \_\_\_\_\_ \$0.00

**Total:** \$34,600.00

**Contract Period**  
**Effective:** 10/01/2023  
**Through:** 09/30/2024

**Prepared By**  
Wilson, Scott

\_\_\_\_\_  
**Subrecipient Authorizing Official**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Subrecipient Project Director**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**MHTC Authorizing Official**

\_\_\_\_\_  
**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 \$34,600.00**; 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 and each subrecipient 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. 25024, Pub. L. 117-58
- 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 AND SOFTWARE**

**A. PROCUREMENT:** Subrecipient's may adhere to its own procurement regulations and procedures which reflect applicable state/local laws, rules, and regulations provided such regulations and procedures adhere to the following State's procurement regulations and procedures:

1. Have a process in place to ensure that contracts are not awarded to contractors or individuals on a federal and/or state debarment list.
2. All procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition.
3. All quotations and the rationale behind the selection of a source of supply must be retained, attached to the purchase order copy (as applicable), and placed in the accounting files.
4. Purchases to a single vendor estimated to total less than \$10,000 may be purchased with prudence on the open market.
5. Purchases to a single vendor estimated to total \$10,000 or more but less than \$100,000 must be competitively bid, or purchased through use of a state cooperative procurement, but need not be solicited by mail or advertisement.
6. Purchases to a single vendor estimated to total \$100,000 or more must:
  1. be advertised for bid in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders (and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public) at least five days before bids for such purchases are to be opened;
  2. post a notice of the proposed purchase in a public area of the Subrecipient's office ; and
  3. solicit bids by mail or other reasonable methods generally available to the public from prospective suppliers.
7. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services, and that all necessary affirmative steps are taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322)
8. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . Equipment purchased late in the fiscal year risks not being reimbursed unless extenuating circumstances are encountered (i.e. supply chain shortages).

**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. The MHTC will notify the subrecipient when an item of original cost of \$5,000 or more (and tracked by the MHTC as inventory) is no longer being

tracked and may be disposed of. 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. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.

**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](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. Unique entity identifier (generated by *SAM.gov*);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
  - A. 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
  - B. 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, if an award no longer effectuates the program goals or MHTC priorities. 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, and in the case of partial termination the portion of the award to be terminated.

**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);
- **49 CFR part 21** (entitled Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964); **28 CFR 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- **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);

CONTRACT CONDITIONS - PAGE 5

- **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);
- **Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government** (advancing equity across the Federal Government); and
- **Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation** (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

- A. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (e) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
- B. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:  
*"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*
- C. The Recipient will insert the clauses of appendix A and E of DOT Order 1050.2A in every contract or agreement subject to the Acts and the Regulations.
- D. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
- E. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
- F. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

**CONTRACT CONDITIONS - PAGE 6**

- G. That the Recipient will include the clauses set forth in appendix C and appendix D of DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - 1. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - 2. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- H. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - 1. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - 2. the period during which the Recipient retains ownership or possession of the property.
- I. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
- J. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

**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. Crash Reporting Chapter 43.250 RSMo - Law enforcement officers to file all crash reports with Missouri State Highway Patrol (MSHP).
- 3. Uniform Crime Reporting Chapter 43.505 RSMo - Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
- 4. Racial Profiling Chapter 590.650 RSMo - Law enforcement agency to file a report to the Attorney General each calendar year.
- 5. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201.

**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 and /or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal, Subrecipient shall submit a written or email 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. All final modification requests must be submitted no later than September 30 of the project fiscal year.
- 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. **LAWS 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 ORIENTATION AND AUDIT INFORMATION**

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405e	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs
405g	20.616	National Priority Safety Programs
405h	20.616	National Priority Safety Programs
405i	20.616	National Priority Safety Programs

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

**(Applies to subrecipients as well as States)**

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 Tier Participant 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 1200.
- 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.

**CONTRACT CONDITIONS - PAGE 10**

- D. The prospective primary tier 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 and 1200. 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 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.
- G. The prospective primary 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," 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 1200.
- 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 System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

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

- 1. The prospective primary tier 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;
  - 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 Participant 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 1200.

- 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. 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 the department or agency with which this transaction originated.
- 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 1200.
- 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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, 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 or debarment.

*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, motorcycles, trailers, and other similar conveyances must be manufactured or assembled in the United States of America regardless of cost.

<https://www.nhtsa.gov/sites/nhtsa.gov/files/buy-america-act-revised-11202015.pdf>

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

**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 and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**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.

**XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS**

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

**XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE**

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

**XXXI. CERTIFICATION ON CONFLICT OF INTEREST  
(Applies to subrecipients as well as States)**

General Requirements

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate , make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

- A.** The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers , employees, or agents.
  - 1.** The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - 2.** The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
- B.** The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

- A.** The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
- B.** NHTSA will review the disclosure and may require additional relevant information from the recipient . If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict .
- C.** Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization .

## 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. If the minimum number of students cannot be ensured, the subrecipient should contact the MHTC Highway Safety Office to seek approval to proceed with the 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 is expected to participate in associated 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, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejts.org>.
- 5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training (POST) certified law enforcement officer will be reimbursed.
- 6. 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 annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact or Operation Gateway (traffic safety task forces).

**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 crackdowns 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.

**G. PURSUIT POLICIES**

Law enforcement agencies are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))



## PROBLEM IDENTIFICATION

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Substance-impaired drivers contributed to 22.0 percent of Missouri's traffic crash fatalities during the past five years. Alcohol remains the primary contributor to substance-impaired driving crashes; however, the number of persons under the influence of prescription medications and/or illicit drugs continues to increase. Male drivers were more likely than females to be involved in substance-impaired driving crashes. During the past five years, males were responsible for 81.7 percent of substance-impaired driving fatalities. Ten percent of the children less than 15 years of age, who were killed in motor vehicle crashes over the last five years, were riding with a substance-impaired driver.

Jackson County, Missouri still ranks as one of the highest in the state for the number of alcohol/ drug related traffic crashes, with a significant number of serious injuries and fatalities stemming from these traffic crashes. In 2021-2022 as published by the Missouri State Highway Patrol, Jackson County, Missouri had a total of 2,942 alcohol or drug related traffic crashes. Of these crashes 1,325 resulted in fatality or personal injury. MSHP crash mapping shows that many of these crashes were in direct proximity to, or on a feeder roadway to one of the many entertainment districts in Jackson County.

Additionally, with the recent legalization of recreational marijuana use in the state of Missouri, it is anticipated drug impaired driving crashes will increase dramatically. A study published in the Journal of Studies on Alcohol and Drugs, states that legalized recreational marijuana had an increase in traffic crashes and deaths. According to Charles M. Farmer, Ph.D., of the Insurance Institute for Highway Safety in Ruckersville, VA., after legalization and the launch of retail sales, there was a 5.8% rise in the incidence of traffic collision injuries and a 4.1% increase in the rate of fatal crashes in five states that permit people age 21 and older to consume marijuana recreationally. In a comparative group of states without marijuana legalization, the researchers did not see any rise during the same period.

## GOALS/OBJECTIVES

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### Core Performance Measure Goals

1. Based on our goal of 0 fatalities by 2030, Missouri is projecting a five-year average target of 276.8 alcohol-impaired driving involved fatalities by December 31, 2023.

To increase DWI arrests by 5% over the previous fiscal year's reported statistics. To improve the awareness of enforcement actions through high visibility operations, providing significant visual stimuli to those who are considering driving after partaking in alcohol or drugs. To provide a decrease in the number of alcohol/drug related serious injury and fatality traffic crashes, in and around the county's entertainment districts, which will be measured by the crash data reported by the MSHP crash mapping tool.

## PROJECT DESCRIPTION

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Conduct fifteen (15) organized saturation patrols during the fiscal year, in selected areas, with the goal of utilizing eight deputies per deployment, in six hour deployments, between the hours of 10:00 p.m. to 4:00 a.m. These saturation patrols will focus on selected areas which show a high number of DWI related arrests, and impaired driving crashes, which will primarily focus on the areas surrounding the entertainment districts in Jackson County, Missouri and all feeder roadways to and from those areas.

## 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 MIBRS 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>The JCSO has struggled the last three years in spending all provided funding for HMV enforcement. 2020 and 2021 can be attributed to the COVID-19 pandemic, however 2022's funding seems to be limited interest in enforcement outside most deputy's primary job description. Part of this can be attributed to the limited radar/lidar availability. It should be noted, the Sheriff's Office has recently requested, and been approved county funds to purchase ten vehicle mounted radar units for 2023, and another 10 will be requested for 2024. This will likely encourage deputies to actively work HMV 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.	567
19 Total number of speeding citations written by your agency.	784
20 Total number of HVM citations written by your agency.	1272
21 Total number of child safety/booster seat citations written by your agency.	8
22 Total number of safety belt citations written by your agency.	10
23 Total number of warnings issued.	2025

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.	65650
25 Total number of traffic crashes resulting in a fatality.	327
26 Total number of traffic crashes resulting in a serious injury.	17863
27 Total number of speed-related traffic crashes.	6701
28 Total number of speed-related traffic crashes resulting in a fatality.	154
29 Total number of speed-related traffic crashes resulting in a serious injury.	2523
30 Total number of alcohol-related traffic crashes.	2354
31 Total number of alcohol-related traffic crashes resulting in a fatality.	52
32 Total number of alcohol-related traffic crashes resulting in a serious injury.	956
33 Total number of unbuckled fatalities.	143
34 Total number of unbuckled serious injuries.	350

Enter your agency's information below.

35 Total number of commissioned law enforcement officers.	91
36 Total number of commissioned patrol and traffic officers.	33
37 Total number of commissioned law enforcement officers available for overtime enforcement.	83

38	Total number of vehicles available for enforcement.	91
39	Total number of radars/lasers.	7
40	Total number of in-car video cameras.	59
41	Total number of PBTs.	8
42	Total number of Breath Instruments.	8

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 DWI Unit will conduct enforcement operations throughout the entire Jackson County area, with targeted enforcement at specific locations based on crash data with specific focus on the following areas during large scale saturations:

Midtown Kansas City area, downtown Kansas City area, MO 291 through Independence, I-70 from east to west county limits, I-435 from north to south county limits, US-71 Hwy. and I-49 north to south county limits, I-470 from I-435 to Douglas Rd. in Lee's Summit and any ancillary roadways.

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

45 Enter the months in which enforcement will be conducted.

October through September, all months.

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

Primarily on Saturdays, with some special times/days due to MoDOT mobilizations, and/or entertainment events such as concerts, sporting events, etc.

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

Primarily 10:00pm to 4:00am with some special times due to MoDOT mobilizations, and/or entertainment events such as concerts, sporting events, etc.

48 Enter the number of officers assigned during the enforcement period. 8

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

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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, or education materials produced or purchased)
  - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic 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.

It is very difficult to evaluate what may have been prevented as a result of an impaired driver arrest , as well as knowing exactly how many impaired drivers are on the roadways at any given time. It is believed a comparison of the number of arrests made during the same date/time and/or location from previous years, in addition to utilizing the MSHP's crash mapping tool to track drug/alcohol related crashes will measure the success of this project.

**ADDITIONAL FUNDING SOURCES**

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**BUDGET**

<b>Category</b>	<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Cost</b>	<b>Total</b>	<b>Local</b>	<b>Total Requested</b>
<b>Personnel</b>							
	Overtime and Fringe	Approximately 546 hours of impaired driving enforcement + fringe	1.00	\$31,000.00	\$31,000.00	\$0.00	\$31,000.00
					<b>\$31,000.00</b>	<b>\$0.00</b>	<b>\$31,000.00</b>
<b>Training</b>							
	Professional Development	One Sergeant and Five Deputies to attend state DRE Conference (MOPS)	6.00	\$600.00	\$3,600.00	\$0.00	\$3,600.00
					<b>\$3,600.00</b>	<b>\$0.00</b>	<b>\$3,600.00</b>
<b>Total Contract</b>					<b>\$34,600.00</b>	<b>\$0.00</b>	<b>\$34,600.00</b>

## ATTACHMENTS

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<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
PDF	PDF Document	County Authorization I.D.I	02/22/2023

# Request for Legislative Action

Ord. #5800  
Sponsor: Venessa Huskey  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5800
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Authorize', 'Appropriate']
<b>Project/Title:</b> Appropriating \$34,600 from the undesignated fund balance of the 2023 Grant Fund in acceptance of the Sheriff's Office Impaired Driving Enforcement Grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. Project Number 24-M5HVE-03-008.

Request Summary
<p>The Sheriff's Office has been awarded an Impaired Driving Enforcement grant in the amount of \$34,600 by the Missouri Department of Transportation, Highway Safety and Traffic Division, for the period of October 1, 2023, to September 30, 2024. The grant does not require any local matching funds. Project Number 24-M5HVE-03-008.</p> <p>The Sheriff's Office will target impaired drivers through high visibility enforcement activities, including multijurisdictional projects throughout Jackson County. The grant funds will be used for reimbursement of overtime necessary for sobriety enforcement activities and for training and travel expenses of Traffic Unit personnel.</p> <p>The Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Highway Safety and Traffic Division. An appropriation is necessary to place the grant funds in the proper spending accounts.</p> <p>010-4234-55030 Grant Fund – Impaired Driving Enforcement – Overtime \$28,797 010-4234-55040 Grant Fund – Impaired Driving Enforcement – FICA Taxes \$2,203 010-4234-56756 Grant Fund – Impaired Driving Enforcement – Training Expense \$3,600</p>

Contact Information			
<b>Department:</b>	Sheriff	<b>Submitted Date:</b>	9/19/2023
<b>Name:</b>	Elizabeth A. Money	<b>Email:</b>	EMoney@jacksongov.org
<b>Title:</b>	Office Administrator	<b>Phone:</b>	816-541-8017

Budget Information
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## Request for Legislative Action

Amount authorized by this legislation this fiscal year:		\$34,600
Amount previously authorized this fiscal year:		\$ 0
Total amount authorized after this legislative action:		\$34,600
Is it transferring fund?		Yes
<b>Transferring Fund From:</b>		
Fund:	Department:	Line Item Account:
010 (Grant Fund)	9999 (*)	32810 (Undesignated Fund Balance)
		Amount: \$34,600
<b>Transferring Fund To:</b>		
Fund:	Department:	Line Item Account:
010 (Grant Fund)	4234 ( Impaired Driving Enforcement)	55030 (Overtime Salaries)
		Amount: \$28,797
010 (Grant Fund)	4234 ( Impaired Driving Enforcement)	55040 (FICA Taxes)
		Amount: \$2,203
010 (Grant Fund)	4234 ( Impaired Driving Enforcement)	56756 (Training Expense)
		Amount: \$3,600

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
5690	October 24, 2022
5560	November 8, 2021
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Contract is with another government agency	

## Request for Legislative Action

MBE: .00%
WBE: .00%
VBE: .00%
<b>Prevailing Wage</b>
Not Applicable

### Fiscal Information

- Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

### History

Submitted by Sheriff requestor: Elizabeth A. Money on 9/19/2023. Comments:

Approved by Department Approver Michael L. Montgomery on 9/19/2023 1:29:46 PM. Comments:

Not applicable by Purchasing Office Approver Craig A. Reich on 9/20/2023 9:26:53 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:44:39 AM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 9/20/2023 10:58:26 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylvia Stevenson on 9/20/2023 11:19:31 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:07:21 PM. Comments:

## Supplemental Appropriation Request Jackson County, Missouri

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

Date: September 20, 2023

ORD # 5800  
eRLA # 1087

Department / Division	Character/Description	From	To
<b>Grant Fund - 010</b>			
4234 - Impaired Driving Enforcement	45984 - Increase Revenues	34,600	
9999 - Non Specific	32810 - Undesignated Fund Balance		34,600
9999 - Non Specific	32810 - Undesignated Fund Balance	34,600	
4234 - Impaired Driving Enforcement	55030 - Overtime Salaries		28,797
4234 - Impaired Driving Enforcement	55040 - FICA Taxes		2,203
4234 - Impaired Driving Enforcement	56756 - Training Expense		3,600
		<u>\$ 69,200</u>	<u>\$ 69,200</u>

**APPROVED**  
By Sarah Matthes at 10:57 am, Sep 20, 2023

Budgeting

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** appropriating \$40,425.00 from the undesignated fund balance of the 2023 Grant Fund, in acceptance of the Sheriff's Office's Hazardous Moving Violation Enforcement grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Traffic and Highway Safety Division for the expenditure of grant funds.

**ORDINANCE NO. 5801**, October 2, 2023

**INTRODUCED BY** Venessa Huskey, County Legislator

WHEREAS, the Missouri Department of Transportation, Highway Safety and Traffic Division, has awarded the Sheriff's Office a Hazardous Moving Violation Enforcement grant in the amount of \$40,425.00, for the grant period of October 1, 2023, through September 30, 2024; and,

WHEREAS, through this grant funding, the Sheriff's Office is better able to effectively conduct enforcement actions in order to decrease speed, hazardous driving-related injuries, and fatality crashes; and,

WHEREAS, the Sheriff recommends the use of the grant funds for reimbursement of overtime used for conducting hazardous moving violations enforcement at various locations throughout the County and for travel and training of traffic unit personnel; and,

WHEREAS, this grant does not require local matching funds; and,

WHEREAS, an appropriation is necessary to place the 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 2023 Grant Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund			
HMV Enforcement			
010-4235	45985- Increase Revenues	\$40,425	
Non-Specific Department			
010-9999	32810- Undesignated Fund Balance		\$40,425
010-9999	32810- Undesignated Fund Balance	\$40,425	
HMV Enforcement			
010-4235	55030- Overtime Salaries		\$15,183
010-4235	55040- FICA Taxes		\$1,162
010-4235	56756- Training Expense		\$6,000
010-4235	57521- Operating Equipment		
	- Law Enforcement		\$6,100
010-4235	58115- Sheriff Vehicle		
	Equipment		\$11,980

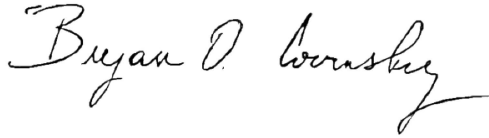
and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached 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:



\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5801 introduced on October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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. 5801.

\_\_\_\_\_  
Date


\_\_\_\_\_  
Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 010 9999 32810  
ACCOUNT TITLE: Grant Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$40,425.00

09/18/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvya Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

# CONTRACT

Form HS-1

Version: 1

05/12/2023

**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:** HMV Enforcement  
**Project Number:** 24-PT-02-036  
**Project Category:** Police Traffic Services  
**Program Area:** State and Community Programs

**Name of Grantee**

Jackson County Sheriff's Office

**Funding Source:** 402 / 20.600

**Grantee County**

Jackson

**Type of Project:** Initial

**Started:** 10/01/2023

**Grantee Address**

4001 NE Lakewood Court  
  
Lee's Summit, MO 64064-1703

**Federal Funds Benefiting**

<b>State:</b>	
<b>Local:</b>	\$40,424.89
<b>Total:</b>	\$40,424.89

**Telephone**

816-541-8017

**Fax**

816-795-1969

**Source of Funds**

<b>Federal:</b>	\$40,424.89
<b>State:</b>	
<b>Local:</b>	\$0.00
<b>Total:</b>	\$40,424.89

**Contract Period**

**Effective:** 10/01/2023  
**Through:** 09/30/2024

**Prepared By**  
Wilson, Scott

<b>Subrecipient Authorizing Official</b>	<b>Date</b>
<b>Subrecipient Project Director</b>	<b>Date</b>
<b>MHTC Authorizing Official</b>	<b>Date</b>

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$40,424.89**; 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 and each subrecipient 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. 25024, Pub. L. 117-58
- 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 AND SOFTWARE**

**A. PROCUREMENT:** Subrecipient's may adhere to its own procurement regulations and procedures which reflect applicable state/local laws, rules, and regulations provided such regulations and procedures adhere to the following State's procurement regulations and procedures:

1. Have a process in place to ensure that contracts are not awarded to contractors or individuals on a federal and/or state debarment list.
2. All procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition.
3. All quotations and the rationale behind the selection of a source of supply must be retained, attached to the purchase order copy (as applicable), and placed in the accounting files.
4. Purchases to a single vendor estimated to total less than \$10,000 may be purchased with prudence on the open market.
5. Purchases to a single vendor estimated to total \$10,000 or more but less than \$100,000 must be competitively bid, or purchased through use of a state cooperative procurement, but need not be solicited by mail or advertisement.
6. Purchases to a single vendor estimated to total \$100,000 or more must:
  1. be advertised for bid in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders (and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public) at least five days before bids for such purchases are to be opened;
  2. post a notice of the proposed purchase in a public area of the Subrecipient's office ; and
  3. solicit bids by mail or other reasonable methods generally available to the public from prospective suppliers.
7. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services, and that all necessary affirmative steps are taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322)
8. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . Equipment purchased late in the fiscal year risks not being reimbursed unless extenuating circumstances are encountered (i.e. supply chain shortages).

**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. The MHTC will notify the subrecipient when an item of original cost of \$5,000 or more (and tracked by the MHTC as inventory) is no longer being

tracked and may be disposed of. 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. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.
- 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](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. Unique entity identifier (generated by *SAM.gov*);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
  - A. 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
  - B. 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, if an award no longer effectuates the program goals or MHTC priorities. 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, and in the case of partial termination the portion of the award to be terminated.

**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);
- **49 CFR part 21** (entitled Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964); **28 CFR 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- **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);

CONTRACT CONDITIONS - PAGE 5

- **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);
- **Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government** (advancing equity across the Federal Government); and
- **Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation** (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

- A. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (e) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
- B. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:  
*"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*
- C. The Recipient will insert the clauses of appendix A and E of DOT Order 1050.2A in every contract or agreement subject to the Acts and the Regulations.
- D. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
- E. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
- F. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

**CONTRACT CONDITIONS - PAGE 6**

- G. That the Recipient will include the clauses set forth in appendix C and appendix D of DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - 1. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - 2. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- H. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - 1. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - 2. the period during which the Recipient retains ownership or possession of the property.
- I. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
- J. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

**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. Crash Reporting Chapter 43.250 RSMo - Law enforcement officers to file all crash reports with Missouri State Highway Patrol (MSHP).
- 3. Uniform Crime Reporting Chapter 43.505 RSMo - Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
- 4. Racial Profiling Chapter 590.650 RSMo - Law enforcement agency to file a report to the Attorney General each calendar year.
- 5. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201.

**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 and /or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal , Subrecipient shall submit a written or email 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. All final modification requests must be submitted no later than September 30 of the project fiscal year.
- 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. **LAWS 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 ORIENTATION AND AUDIT INFORMATION**

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405e	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs
405g	20.616	National Priority Safety Programs
405h	20.616	National Priority Safety Programs
405i	20.616	National Priority Safety Programs

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

**(Applies to subrecipients as well as States)**

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 Tier Participant 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 1200.
- 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.

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- D. The prospective primary tier 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 and 1200. 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 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.
- G. The prospective primary 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," 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 1200.
- 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 System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

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

- 1. The prospective primary tier 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;
  - 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 Participant 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 1200.

- 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. 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 the department or agency with which this transaction originated.
- 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 1200.
- 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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- 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, 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 or debarment.

*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, motorcycles, trailers, and other similar conveyances must be manufactured or assembled in the United States of America regardless of cost.

<https://www.nhtsa.gov/sites/nhtsa.gov/files/buy-america-act-revised-11202015.pdf>

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

**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 and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**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.

**XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS**

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

**XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE**

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

**XXXI. CERTIFICATION ON CONFLICT OF INTEREST  
(Applies to subrecipients as well as States)**

General Requirements

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate , make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

- A.** The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers , employees, or agents.
  - 1.** The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - 2.** The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
- B.** The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

- A.** The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
- B.** NHTSA will review the disclosure and may require additional relevant information from the recipient . If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict .
- C.** Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization .

## **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. If the minimum number of students cannot be ensured, the subrecipient should contact the MHTC Highway Safety Office to seek approval to proceed with the 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 is expected to participate in associated 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, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejts.org>.
- 5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training (POST) certified law enforcement officer will be reimbursed.
- 6. 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 annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact or Operation Gateway (traffic safety task forces).



**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 crackdowns 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.

**G. PURSUIT POLICIES**

Law enforcement agencies are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))

## PROBLEM IDENTIFICATION

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Aggressive driving can be any one of us, when we make the choice to drive over the speed limit; change lanes several times in a short distance and/or follow too closely. Aggressive driving is a costly decision, often made in an instant, but can have lifelong consequences. According to the National Highway Traffic Safety Administration, aggressive driving is when an individual commits a combination of moving traffic offenses so as to endanger other persons or property. During the last five years (2016-2020), the combination of aggressive driving behaviors contributed to 53 percent of fatalities and 44 percent of serious injuries in Missouri. Speed-related conditions, including exceeding the speed limit and too fast for conditions, accounted for the most fatalities of all aggressive driving behaviors. Thirty-seven percent of all Missouri fatalities over the last five years were speed related.

Jackson County, Missouri remains atop the list of counties in Missouri with a significant amount of traffic crashes stemming from hazardous moving violations (HMV). In the past three years, Jackson County, Missouri had a total of 6,701 speed related crashes. Of those crashes 2,523 resulted in personal injury, and 154 resulted in a fatality.

## GOALS/OBJECTIVES

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### Core Performance Measure Goals

1. Based on our goal of 0 fatalities by 2030, Missouri is projecting a five-year average target of 362.4 speed related fatalities by December 31, 2023.

To reduce HMV-related crashes in high crash locations and corridors by conducting high visibility enforcement.

## PROJECT DESCRIPTION

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Aggressive traffic enforcement to interdict hazardous moving violators in high traffic crash areas . These enforcement periods will take place in two-hour increments and will have a minimum of three contacts per hour. All stops will be documented by use of REJIS mobile ticketing by either a citation or warning, and backed up by a traffic analysis report for all stops.

## 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 MIBRS 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 style="padding-left: 40px;">The JCSO has struggled the last three years in spending all provided funding for HMV enforcement. 2020 and 2021 can be attributed to the COVID-19 pandemic, however 2022's funding seems to be limited interest in enforcement outside most deputy's primary job description. Part of this can be attributed to the limited radar/lidar availability. It should be noted, the Sheriff's Office has recently requested, and been approved county funds to purchase ten vehicle mounted radar units for 2023, and another 10 will be requested for 2024. This will likely encourage deputies to actively work HMV 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.	567
19 Total number of speeding citations written by your agency.	784
20 Total number of HVM citations written by your agency.	1272
21 Total number of child safety/booster seat citations written by your agency.	8
22 Total number of safety belt citations written by your agency.	10
23 Total number of warnings issued.	2025

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.	65650
25 Total number of traffic crashes resulting in a fatality.	327
26 Total number of traffic crashes resulting in a serious injury.	17863
27 Total number of speed-related traffic crashes.	6701
28 Total number of speed-related traffic crashes resulting in a fatality.	154
29 Total number of speed-related traffic crashes resulting in a serious injury.	2523
30 Total number of alcohol-related traffic crashes.	2354
31 Total number of alcohol-related traffic crashes resulting in a fatality.	52
32 Total number of alcohol-related traffic crashes resulting in a serious injury.	956
33 Total number of unbuckled fatalities.	143
34 Total number of unbuckled serious injuries.	350

Enter your agency's information below.

35 Total number of commissioned law enforcement officers.	91
36 Total number of commissioned patrol and traffic officers.	33
37 Total number of commissioned law enforcement officers available for overtime enforcement.	83

38	Total number of vehicles available for enforcement.	91
39	Total number of radars/lasers.	7
40	Total number of in-car video cameras.	59
41	Total number of PBTs.	8
42	Total number of Breath Instruments.	8

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.

All incorporated and unincorporated areas of Jackson County, identified by either traffic complaints, or crash mapping data. The enforcement locations will be established by the individual deputy, but the minimum enforcement/contacts per hour will remain at three.

44 Enter the number of enforcement periods your agency will conduct each month. 12

45 Enter the months in which enforcement will be conducted.

October through September, all months.

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

Monday through Sunday.

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

24 hours, with specific attention paid to high traffic and travel times in the metro.

48 Enter the number of officers assigned during the enforcement period. 1

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

Three Stalker brand hand held radars to be used exclusively for hazardous moving violation enforcement.

Six Stalker brand, vehicle mounted radar units. Currently, the Traffic Safety Unit has mounted units in 4 of the 6 TSU vehicles. Two of the units are currently beyond their serviceable life. The appropriation of 6 units would replace the two old units, and outfit the two units without radar, as well as the anticipated approval of two TSU vehicles purchased by the HSD for the 2024 fiscal year.

## PROJECT EVALUATION

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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, or education materials produced or purchased)
  - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic 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.

It is very difficult to evaluate what may have been prevented as a result of hazardous moving violation enforcement , Utilizing the MSHP's crash mapping tool to track speed related crashes will measure the success of this project.



**ADDITIONAL FUNDING SOURCES**

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**BUDGET**

<b>Category</b>	<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Cost</b>	<b>Total</b>	<b>Local</b>	<b>Total Requested</b>
<b>Equipment</b>							
	Radar	Four (4) Stalker DSR vehicle mounted radar units	4.00	\$2,995.00	\$11,980.00	\$0.00	\$11,980.00
	Radar	Stalker SDR handheld radar to be used exclusively for HMV enforcement	4.00	\$1,525.00	\$6,100.00	\$0.00	\$6,100.00
					<b>\$18,080.00</b>	<b>\$0.00</b>	<b>\$18,080.00</b>
<b>Personnel</b>							
	Enforcement Hours and Fringe	Approximately 288 hours of HMV Enforcement + Fringe	1.00	\$16,344.89	\$16,344.89	\$0.00	\$16,344.89
					<b>\$16,344.89</b>	<b>\$0.00</b>	<b>\$16,344.89</b>
<b>Training</b>							
	Professional Development	Attendance for all members of the TSU for the annual LETSAC training conference, including lodging, meals, and registration.	6.00	\$1,000.00	\$6,000.00	\$0.00	\$6,000.00
					<b>\$6,000.00</b>	<b>\$0.00</b>	<b>\$6,000.00</b>
<b>Total Contract</b>					<b>\$40,424.89</b>	<b>\$0.00</b>	<b>\$40,424.89</b>

## ATTACHMENTS

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<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
PDF	PDF Document	County Authorization H.M	02/22/2023

# Request for Legislative Action

Ordinance No.: 5801  
Sponsor: Venessa Huskey  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5801
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Authorize', 'Appropriate']
<b>Project/Title:</b>
Appropriating \$40,425 from the undesignated fund balance of the 2023 Grant Fund in acceptance of the Sheriff's Office Hazardous Moving Violation Enforcement Grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. Project Number 24-PT-02-036.

Request Summary
<p>The Sheriff's Office has been awarded a Hazardous Moving Violation Enforcement grant in the amount of \$40,425 by the Missouri Department of Transportation, Highway Safety and Traffic Division, for the period of October 1, 2023, to September 30, 2024. The grant does not require any local matching funds. Project Number 24-PT-02-036.</p> <p>Through this grant funding the Sheriff's Office is better able to effectively conduct enforcement actions in order to decrease speed, hazardous driving related injuries and fatality crashes. The grant funds will be used for reimbursement of overtime incurred while conducting hazardous moving violation enforcement at various locations throughout the County and for training and travel expenses of Traffic Unit personnel. The grant funds also allow for the purchase of four vehicle mounted radar units and four handheld radar units.</p> <p>The Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Highway Safety and Traffic Division. An appropriation is necessary to place the grant funds in the proper spending accounts.</p> <p>010-4235-55030 Grant Fund – HVM – Overtime \$15,183 010-4235-55040 Grant Fund – HVM – FICA Taxes \$1,162 010-4235-56756 Grant Fund – HVM – Training Expense \$6,000 010-4235-57521 Grant Fund – HVM – Law Enforcement Operating Equipment \$6,100 010-4235-58115 Grant Fund – HVM – Sheriff Vehicle Equipment \$11,980</p>

Contact Information			
<b>Department:</b>	Sheriff	<b>Submitted Date:</b>	9/19/2023
<b>Name:</b>	Elizabeth A. Money	<b>Email:</b>	EMoney@jacksongov.org
<b>Title:</b>	Office Administrator	<b>Phone:</b>	816-541-8017

## Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$40,425
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$40,425
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$40,425
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	4235 (HMTV Enforcement)	55030 (Overtime Salaries)	\$15,183
010 (Grant Fund)	4235 (HMTV Enforcement)	55040 (FICA Taxes)	\$1,162
010 (Grant Fund)	4235 (HMTV Enforcement)	56756 (Training Expense)	\$6,000
010 (Grant Fund)	4235 (HMTV Enforcement)	57521 (Operating Equipment - Law Enforcement)	\$6,100
010 (Grant Fund)	4235 (HMTV Enforcement)	58115 (Sheriff Vehicle Equipment)	\$11,980

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5688	October 24, 2022
5566	November 12, 2021
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in	

## Request for Legislative Action

this RLA?	
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<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Acceptance of grant	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>

<b>History</b>
<p>Submitted by Sheriff requestor: Elizabeth A. Money on 9/19/2023. Comments:</p> <p>Approved by Department Approver Ronald A. Fletcher on 9/19/2023 2:47:05 PM. Comments:</p> <p>Not applicable by Purchasing Office Approver Craig A. Reich on 9/20/2023 11:23:59 AM. Comments:</p> <p>Approved by Compliance Office Approver Melinda K. Bolling on 9/20/2023 11:41:08 AM. Comments:</p> <p>Approved by Budget Office Approver Sarah L. Matthes on 9/21/2023 1:19:16 PM. Comments: Fiscal Note Attached</p> <p>Approved by Executive Office Approver Sylvia Stevenson on 9/21/2023 1:48:42 PM. Comments:</p> <p>Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:08:02 PM. Comments:</p>

## Supplemental Appropriation Request Jackson County, Missouri

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

Date: September 21, 2023

ORD # 5801  
eRLA # 1,088

Department / Division	Character/Description	From	To
<b>Grant Fund - 010</b>			
4235 - HVM Enforcement	45985 - Increase Revenues	40,425	
9999 - Non Specific Department	32810 - Undesignated Fund Balance		40,425
9999 - Non Specific Department	32810 - Undesignated Fund Balance	40,425	
4235 - HVM Enforcement	55030 - Overtime Salaries		15,183
4235 - HVM Enforcement	55040 - FICA Taxes		1,162
4235 - HVM Enforcement	56756 - Training Expense		6,000
4235 - HVM Enforcement	57521 - Operating Equipment - Law Enforcement		6,100
4235 - HVM Enforcement	58115 - Sheriff Vehicle Equipment		11,980
<div style="border: 1px solid green; padding: 2px; display: inline-block;"> <b>APPROVED</b>  <small>By Sarah Matthes at 1:18 pm, Sep 21, 2023</small> </div>		\$ 80,850	\$ 80,850

Budgeting

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** awarding a contract for the furnishing of annual software maintenance for use by the Sheriff's Office to Omnigo Software of St. Louis, MO, as a sole source purchase, at an actual cost to the County in the amount of \$89,090.00.

**RESOLUTION NO. 21409**, October 2, 2023

**INTRODUCED BY** Venessa Huskey, County Legislator

WHEREAS, the Sheriff's Office has a need for annual maintenance for its current dispatch and law enforcement records management software systems; and,

WHEREAS, pursuant to section 1030.1 of the Jackson County Code, the Sheriff and Director of Finance and Purchasing recommend the award of the contract for the required annual software maintenance from Omnigo Software of St. Louis, MO, at an actual cost to the County in the amount of \$80,090.00, as a sole source purchase; and,

WHEREAS, award as a sole source is appropriate as only Omnigo Software is capable of providing maintenance on its own proprietary software; now therefore,

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



BE IT FURTHER RESOLVED that the Director of Finance and Purchasing 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:

*Bryan D. Worsley*

\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21409 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of the Legislature

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: 001 4201 56662  
ACCOUNT TITLE: General Fund  
Sheriff's Office  
Software Maintenance  
NOT TO EXCEED: \$89,090.00

09/28/2023

*Sylvia Stevenson*  
\_\_\_\_\_  
Sylvia Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date

# Request for Legislative Action

Res. #21409

Sponsor: Venessa Huskey

Date: October 2, 2023

## Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21409
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	10/2/2023

## Introduction

**Action Items:** ['Authorize']

**Project/Title:**

Authorizing the purchase of an Annual Maintenance and Support Agreement from Omnigo Software, LLC, "Omnigo", of St. Louis, Missouri in the amount of \$89,090.

## Request Summary

The annual Omnigo Software, LLC, "Omnigo", Maintenance and Support Agreement needs to be renewed for the law enforcement dispatch and records management software systems used by the Sheriff's Office, at a cost of \$89,090. Omnigo is considered a Sole Source as they are the original developer and owner of the software and would provide maintenance and periodic system upgrades.

The software is necessary to ensure continued efficient access to law enforcement records and dispatching services. We are requesting authorization to purchase the Agreement pursuant to Section 1030.1 Sole Source of Chapter 10 of the Jackson County Code.

## Contact Information

<b>Department:</b>	Sheriff	<b>Submitted Date:</b>	9/19/2023
<b>Name:</b>	Elizabeth A. Money	<b>Email:</b>	EMoney@jacksongov.org
<b>Title:</b>	Office Administrator	<b>Phone:</b>	816-541-8017

## Budget Information

Amount authorized by this legislation this fiscal year:	\$89,090		
Amount previously authorized this fiscal year:	\$ 0		
Total amount authorized after this legislative action:	\$89,090		
Is it transferring fund?	No		
<b>Single Source Funding:</b>			
<b>Fund:</b>	<b>Department:</b>	<b>Line Item Account:</b>	<b>Amount:</b>
001 (General Fund)	4201 (Sheriff)	56662 (Software Maintenance)	\$89,090

## Request for Legislative Action

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:
20991	June 21, 2022
20716	July 6, 2021

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Sole Source
Core 4 Tax Clearance Completed:	Not Applicable
Certificate of Foreign Corporation Received:	Not Applicable
Have all required attachments been included in this RLA?	Yes

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
In Compliance	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Sole Source	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>	

## Request for Legislative Action

### History

Submitted by Sheriff requestor: Elizabeth A. Money on 9/19/2023. Comments:

Approved by Department Approver Michael L. Montgomery on 9/19/2023 8:32:51 AM. Comments:

Approved by Purchasing Office Approver Craig A. Reich on 9/20/2023 9:02:55 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:42:52 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/20/2023 3:00:58 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 9/20/2023 3:44:52 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 11:59:00 AM. Comments:

**Fiscal Note:**

This expenditure was included in the Annual Budget.

PC# 420123005 000

Date: September 20, 2023

RES # 21409  
eRLA ID #: 1085

<u>Org Code/Description</u>	<u>Object Code/Description</u>	<u>Not to Exceed</u>
<b>001</b>	<b>General Fund</b>	
4201 Sheriff's Office	56662 Software Maintenance	\$ 89,090

\$ 89,090

**APPROVED**  
By David Moyer at 9:52 am, Sep 20, 2023

Budget Office



# Office of the JACKSON COUNTY SHERIFF

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Sheriff Darryl Forté

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## INTER-OFFICE MEMO

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**TO:** Purchasing  
**CC:** Captain Ronda Montgomery  
**FROM:** Beth Money, Office Administrator  
**RE:** RLA to Purchase Omnigo Software, LLC Maintenance Agreement; Sole Source  
**DATE:** September 18, 2023

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The Sheriff's Office uses Omnigo Software, LLC, "Omnigo" (formerly Information Technologies, Inc., "ITI") for our law enforcement dispatch and records management software systems. Omnigo is the developer of the Omnigo/ITI Records Management and CAD software systems used by this office since 2002.

The Sheriff's Office has maintained a service agreement with Omnigo for the maintenance and periodic upgrades of the software systems, including major upgrades or renewals in 2003, 2006, 2009, 2013, 2015 and 2017. As the original developer and owner of the software systems, Omnigo is the Sole Source of manufacturer maintenance and service required to ensure continued efficient access to law enforcement records and dispatching services.

Invoice I-OS015590 for \$89,089.68 covers the time period 7/24/2023 to 7/23/2024 and is attached for review. The purchase is to be made from the following account:

General Fund – Sheriff's Office – Software Maintenance

001-4201-56662

Thank you for your consideration.



10430 Baur Blvd  
 Saint Louis MO 63132-1905  
 United States  
 Phone 800-814-4843  
[www.omnigo.com](http://www.omnigo.com)

**Invoice:** I-OS015590  
 Invoice Date: 6/22/2023  
 Due Date: 7/22/2023

FEIN/TIN: 43-1507250

**Bill To**

JACKSON COUNTY SHERIFF'S OFFICE  
 415 East 12th Street  
 Kansas City MO 64106  
 United States

**Ship To**

JACKSON COUNTY SHERIFF'S OFFICE  
 415 East 12th Street  
 Kansas City MO 64106  
 United States

Product Description	Start Date	End Date	Cost	Qty	Amount
4 Interfaces	7/24/2023	7/23/2024	\$0.00	1	\$0.00
AVL Interface	7/24/2023	7/23/2024	\$0.00	1	\$0.00
Omnigo Google Maps	7/24/2023	7/23/2024	\$0.00	1	\$0.00
Additional Interface	7/24/2023	7/23/2024	\$0.00	1	\$0.00
Police Department Bundle (CAD, RMS, Mobile)	7/24/2023	7/23/2024	\$89,089.68	1	\$89,089.68
Personnel Management	7/24/2023	7/23/2024	\$0.00	1	\$0.00
Regional Data Sharing	7/24/2023	7/23/2024	\$0.00	1	\$0.00

Client ID: 1004504

PO #:

Quote #: Q-32603

**Please pay promptly. Invoices not paid by the due date may cause an interruption in service.**

**Refer all questions to:**  
 Accounts Receivable  
 800-814-4843 Ext. 304  
 AR@omnigo.com

Please reference invoice # I-OS015590 on your payment.  
 Thank you for your business.

<b>Subtotal</b>	USD \$89,089.68
<b>* Sales Tax</b>	\$0.00
<b>Ship &amp; Hand.</b>	
<b>Total Invoice</b>	\$89,089.68
<b>Payment Rcvd.</b>	\$0.00
<b>Total Due \$</b>	USD \$89,089.68

**Remit To:**

Omnigo Software  
 PO Box 734008  
 Chicago, IL 60673-4008

ACH/Wire Bank Information:  
 JP Morgan Chase Bank  
 7100 S 76th Street Franklin, WI 53132  
 Phone: 414-529-6201  
 Routing Number: 075000019  
 Account Number: 724099684  
 Swift Code (BIC): CHASUS33

\*If you are charged sales tax but should be exempt, please forward your valid exemption certificate to ar@omnigo.com



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** transferring \$104,000.00 within the 2023 E-911 System Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$104,000.00 for assisting in the purchase of a Unified Computer Aided Dispatch System for the Lone Jack Police Department.

**RESOLUTION NO. 21410**, October 2, 2023

**INTRODUCED BY** Sean E. Smith, Jalen Anderson, and Jeanie Lauer, County Legislators

WHEREAS, the City of Lone Lack is needing assistance in purchasing a new Unified Computer Aided Dispatch (CAD) System for the Lone Jack Police Department; and,

WHEREAS, the new system will improve communication between dispatchers and field units and will be compatible with the Jackson County CentralSquare CAD system that is to be launched in 2024; and,

WHEREAS, the City of Lone Jack plans to contribute \$25,000 towards the purchase of the new CAD system and will handle the responsibility of future maintenance; and,

WHEREAS, the new CAD system is to ensure that the technology is consistent countywide; and,

WHEREAS, Jackson County has funding available to help assist in the purchase of Lone Jack Police Department's new CAD system, with a remaining balance of \$882,232.00 to be allocated with 911 system funds; and,

WHEREAS, a transfer is necessary to place the funds needed for this purchase in the appropriate spending account; now therefore,

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

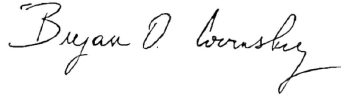
<b>DEPARTMENT/DIVISION</b>	<b>CHARACTER/DESCRIPTION</b>	<b>FROM</b>	<b>TO</b>
E-911 System Fund Emergency 911 System 031-5031	56430 - Telephone Utility	\$104,000	
031-5031	56070- Intergovernmental Agreements		\$104,000

and,

BE IT RESOLVED that the Director of Finance be and hereby is authorized to issue a check to the Lone Jack Police Department in the amount not to exceed \$104,000.00 for the new CAD system.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21410 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 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 sources indicated below.


ACCOUNT NUMBER: 031 5031 56430  
ACCOUNT TITLE: E-911 System Fund  
Emergency 911 System  
Telephone Utility  
NOT TO EXCEED: \$104,000.00

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: 031 5031 56070  
ACCOUNT TITLE: E-911 System Fund  
Emergency 911 System  
Intergovernmental Agreements  
NOT TO EXCEED: \$104,000.00

09/28/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvya Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

**Fiscal Note:**

Funds sufficient for this transfer are available from the sources indicated below.

PC# 503123003 000

Date: September 20, 2023

RES # 21410  
eRLA ID #: 1084

<u>Org Code/Description</u>	<u>Object Code/Description</u>	<u>From</u>	<u>To</u>
<b><u>031 E-911 System Fund</u></b>			
5031 Emergency 911 System	56430 Telephone Utility	\$ 104,000	\$ -
5031 Emergency 911 System	56070 Intergovernmental Agreements		104,000
		<u>\$ 104,000</u>	<u>\$ 104,000</u>

**Fiscal Note:**

This expenditure was included in the Annual Budget

PC# \_\_\_\_\_

<u>Org Code/Description</u>	<u>Object Code/Description</u>	<u>Not to Exceed</u>
<b><u>031 E-911 System Fund</u></b>		
5031 Emergency 911 System	56070 Intergovernmental Agreements	\$ 104,000
		<u>\$ 104,000</u>

\_\_\_\_\_  
Budget Office

# Request for Legislative Action

Resolution No.: 21410  
Sponsor: Sean E. Smith  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21410
Sponsor(s):	Sean E. Smith	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Authorize', 'Transfer']
<b>Project/Title:</b>
A Resolution authorizing the Director of Finance and Purchasing to issue a check in the amount of \$104,000 to assist in the replacement of the Lone Jack Police Department's Unified CAD system from existing Jackson County 911 funds.

Request Summary
The City of Lone Jack is requesting the assistance of Jackson County in the purchase of a new Unified CAD System for the Lone Jack Police Department. This new system will improve communication between dispatchers and field units and will be compatible with the Jackson County CentralSquare CAD system which will be coming on-line in early 2024. Lone Jack will contribute \$25,000 towards the purchase of the system and be responsible for all ongoing maintenance costs. A total of \$882,232 remains available for allocation in FY 2023 for improvements to the 911 system in Jackson County.

Contact Information			
<b>Department:</b>	County Executive Office	<b>Submitted Date:</b>	9/18/2023
<b>Name:</b>	Troy Schulte	<b>Email:</b>	TSchulte@jacksongov.org
<b>Title:</b>	County Administrator	<b>Phone:</b>	816-881-1079

Budget Information			
Amount authorized by this legislation this fiscal year:		\$104,000	
Amount previously authorized this fiscal year:		\$2,117,768	
Total amount authorized after this legislative action:		\$2,221,768	
Is it transferring fund?		Yes	
Transferring Fund From:			
<b>Fund:</b>	<b>Department:</b>	<b>Line Item Account:</b>	<b>Amount:</b>
031 (E-911 System Fund)	5031 (Emergency 911 System)	56430 (Telephone Utility)	\$104,000

## Request for Legislative Action

Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
031 (E-911 System Fund)	5031 (Emergency 911 System)	56070 (Intergovernmental Agreements)	\$104,000

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
21238	April 17, 2023
21326	July 10, 2023
21366	August 14, 2023

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>

## Request for Legislative Action

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### History

Submitted by County Executive Office requestor: Troy Schulte on 9/18/2023. Comments:

Approved by Department Approver Sylvya Stevenson on 9/20/2023 10:04:10 AM. Comments:

Not applicable by Purchasing Office Approver Craig A. Reich on 9/20/2023 2:36:47 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 2:43:58 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/20/2023 3:19:21 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 9/20/2023 6:55:37 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 11:59:48 AM. Comments:



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** awarding a twenty-four-month term and supply contract for the furnishing of dry goods, refrigerated foods, and frozen foods for use by Parks + Rec Department to U.S. Foods of Lenexa, KS, under the terms and conditions of the U.S. Communities Contract No. 42356, an existing competitively bid government contract.

**RESOLUTION NO. 21411**, October 2, 2023

**INTRODUCED BY** Charlie Franklin, County Legislator

WHEREAS, the Parks + Rec Department has a need for dry goods, refrigerated goods, and frozen foods for use as concessions at various locations throughout the Parks + Rec Department; and,

WHEREAS, pursuant to section 1030.4, Jackson County Code, the Director of Finance and Purchasing recommends the award of a twenty-four-month term and supply contract for the furnishing of these concessions items to US Foods of Lenexa, KS, under the terms and conditions of U.S. Communities Contract No. 42356, an existing competitively bid government contract; and,

WHEREAS, the Director of Finance and Purchasing recommends award to U.S. Foods of Lenexa, KS, under the existing government contract due to the higher volume discounts and wider availability of items offered to larger entities; and,

WHEREAS, this award is made on an as needed basis and does not obligate the County to pay any specific amount; now therefore,

BE IT 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 hereby is authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract, to the extent that sufficient appropriations to the using spending agency are contained in the then current Jackson County budget.

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

APPROVED AS TO FORM:

*Bryan O. Worsley*

\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21411 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

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 is subject to annual appropriations.

09/18/2023

\_\_\_\_\_  
Date

*Sylvia Stevenson*  
\_\_\_\_\_  
Sylvia Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

# Request for Legislative Action

Resolution No.: 21411  
Sponsor: Charlie Franklin  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21411
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	10/2/2023

Introduction
<b>Action Items:</b> ['Award']
<b>Project/Title:</b>
Awarding a twenty-four month Term and Supply Contract for the furnishing of Dry Goods, Refrigerated Foods, and Frozen Foods for use by Parks + Rec to US Foods of Lenexa, KS under the Terms and Conditions of the US Communities Contract 42356 an existing government contract.

Request Summary
<p>Parks + Rec requires a Term and Supply Contract for the furnishing of Dry Goods, Refrigerated Goods, and Frozen Foods for use at various locations selling concessions throughout the Parks + Rec Department. Parks + Rec would like to utilize this US Communities contract with US Foods of Lenexa, KS due to the higher dollar volume discounts offered to larger entities and/or purchasing groups. Pursuant to Section 1030.4 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a Twenty-Four Month Term and Supply Contract for the furnishing of Dry Goods, Refrigerated Goods, and Frozen Foods to US Foods of Lenexa, KS under the Terms and Conditions of US Communities Contract No. 42356, an existing government contract. This request is for Twenty-Four Months, so the contract will run concurrently.</p> <p>The Director of Finance and Purchasing recommends the award be made under this contract due to the higher volume discounts offered to large entities and/or purchasing groups.</p> <p>This award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amounts. The availability of funds for specific purchases is subject to annual appropriations.</p>

Contact Information			
<b>Department:</b>	Parks + Rec	<b>Submitted Date:</b>	9/19/2023
<b>Name:</b>	Tina Spallo	<b>Email:</b>	TSpallo@jacksongov.org
<b>Title:</b>	Superintendent of Recreation	<b>Phone:</b>	816-503-4872

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
<b>Single Source Funding:</b>	

## Request for Legislative Action

Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:
19922	July 16, 2018

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Formal Bid
Core 4 Tax Clearance Completed:	Not Applicable
Certificate of Foreign Corporation Received:	Not Applicable
Have all required attachments been included in this RLA?	Yes

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
In Compliance	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"> <li>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.</li> </ul>	

## Request for Legislative Action

### History

Submitted by Parks + Rec requestor: Tina Spallo on 9/19/2023. Comments:

Approved by Department Approver Susan I. Kinnaman on 9/19/2023 3:06:32 PM. Comments:

Approved by Purchasing Office Approver Craig A. Reich on 9/20/2023 9:43:28 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:50:42 AM. Comments:

Returned for more information by Budget Office Approver David B. Moyer on 9/20/2023 1:43:29 PM. Comments: Since this is term and supply, please remove all funding information from the budget tab.

Submitted by Requestor Tina Spallo on 9/20/2023 2:05:45 PM. Comments: Removed budget information since the Term and Supply is on an as needed basis.

Approved by Department Approver Susan I. Kinnaman on 9/20/2023 2:41:01 PM. Comments:

Approved by Purchasing Office Approver Craig A. Reich on 9/20/2023 3:56:01 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 4:01:11 PM. Comments:

Approved by Budget Office Approver Mark Lang on 9/21/2023 12:37:06 PM. Comments:

Approved by Executive Office Approver Sylvia Stevenson on 9/21/2023 1:29:36 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:02:05 PM. Comments:

# Memorandum

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**To:** Craig Reich, Senior Buyer  
**From:** Tina Spallo, Superintendent of Recreation *TS*  
**Date:** September 19, 2023  
**Re:** US Foods Term and Supply Contract

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The Parks + Rec Department recommends awarding a twenty-four-month Term and Supply Contract to US Foods of Lenexa, KS for the furnishing of Dry Goods, Refrigerated Foods and Frozen Foods at various locations throughout the Park System. Pricing through the US Communities Contract has been fair and equitable and US Foods provides excellent customer service.

Projected spending per division:

Recreation 1654	\$45,000
Adair Park 1682	\$30,000
Special Populations 1606	\$3,200
Fred Arbanas 1666 -	\$35,000
Heritage Programs 1603	\$3,000
Day Camps 1657	<u>\$1,500</u>

Totaling \$117,700

Mr. Jon Garrett  
Premier Purchasing Partners  
13034 Ballantyne Corporate Place  
Charlotte, NC 27277

November 11, 2022

Hello, Jon.

Per the attached agreement between Premier Healthcare Alliance, L.P. in partnership with US Foods, Inc. and NC State University, the initial contract term is set to expire on June 30, 2023.

This letter serves as notice that NC State University is exercising its option to renew the agreement for two (2) additional two-year periods.

If you have questions or wish to speak about this further, you can reach me at 919.513.4206.

Best,

*SDLoosman*

Sharon Loosman  
Director of Procurement & Business Services  
NC State University  
919.513.4206  
sdloosma@ncsu.edu



STATE OF NORTH CAROLINA  
WAKE COUNTY

Rev. 11/12

**NORTH CAROLINA STATE UNIVERSITY  
AGREEMENT**

**THIS AGREEMENT** ("Agreement") made and entered into by and between Premier Healthcare Alliance, L.P., 13034 Ballantyne Corporate Place, Charlotte, NC 28277, in partnership with US Foods, Inc., 1500 NC Highway 39, Zebulon, NC 27597 (hereafter referred to together as "Contractor") and NC State University, c/o Campus Enterprises, Campus Box 7307, Raleigh, North Carolina 27695-7307 ("NC State").

**WITNESSETH**

**WHEREAS**, Contractor has submitted to NC State a proposal for the performance of certain professional services; and, NC State, on behalf of itself and all states, local governments, school districts, and higher education institutions in the United States of America, and other government agencies and nonprofit organizations (in cooperation with US Communities Government Purchasing Alliance, herein "Participating Public Agencies"), competitively solicited and is awarding the referenced RFP to this Contractor. NC State has designated U.S. Communities as the administrative and marketing conduit for the distribution of the Agreement to Participating Public Agencies.

**WHEREAS**, NC State desires to enter into an agreement with the Contractor for the performance of these professional services.

**NOW, THEREFORE**, in exchange of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, NC State and Contractor agree as follows:

1. **Scope of Services.** Contractor shall supply NC State with food distribution and associated services (the "Services") described in the following attachments (the "Attachments"), attached hereto and incorporated by reference as if fully set forth herein, and both parties hereby agree to the terms, conditions, obligations, representations and warranties contained therein, including those General Contract Terms and Conditions contained in NC State's Request for Proposals (RFP) #63-JGD10232, dated August 15, 2017, and accepted by Contractor pursuant to its Response to RFP dated October 4, 2017:
  - (1) NC State's Request for Proposals (RFP) #63-JGD10232, dated August 15, 2017 and associated documents;
    - Submission instructions
    - Appendix A – NC State Market Basket
    - Appendix B – NC State National Market Basket
  - (2) NC State's Addendum #1 to RFP #63-JGD10232, dated August 31, 2017 and associated documents;
    - Corrected Appendix A – NC State Market Basket
    - Corrected Appendix B – National Market Basket
  - (3) NC State's Addendum #2 to RFP #63-JGD10232, dated September 13, 2017
  - (4) Contractor proposal response to the RFP, dated October 4, 2017 and associated documents;
    - Cost Response Excel Spreadsheet for NC State Market Basket
    - Cost Response Excel Spreadsheet for US Communities' National Market Basket
  - (5) NC State's Request for Clarification Number 1, dated October 12, 2017 and associated document;
    - Contractor's response, dated October 13, 2017
  - (6) NC State's Request for Clarification Number 2, dated November 8, 2017, and associated document;
    - Contractor's response, dated November 13, 2017
  - (7) NC State's Request for Clarification Number 3, dated November 15, 2017, and associated document;
    - Contractor's response, dated November 16, 2017
  - (8) NC State's Request for Clarification Number 4, dated November 20, 2017, and associated document;
    - Contractor's responses, Part 1 and Part 2 both dated November 20, 2017.
  - (9) NC State Letter to Contractor indicating an intent to award the RFP.

In the event of conflict among the terms contained in the above referenced documents, the order of precedence, beginning with first to last, shall be the General Contract Terms and Conditions contained

US Food Items	Price per case	Brand / Case Size / Ounce	Product Number
<b>Dry Goods</b>			
Hot Cocoa Mix	\$31.94	Swiss Miss Pouches (6) 50 count boxes, each pouch .73oz	2688547
Coffee	\$38.57	Rituals 21 packages containing (2) 2oz coffee pouches	5652813
Nacho Cheese Sauce	\$35.65	Harvest (6) #10 cans	6113455
Roasted Salted Peanut Packs	\$18.07	Planters 4 doz 1.75 oz	9986647
Jalapeno Peppers Sliced for Nachos	\$29.41	Harvest (6) #10 cans	7366012
Tortilla Chips Yellow Round	\$15.34	Del Pasdo (6) 2lb Bags	9705594
9" Paper Plate White Round	\$15.65	Winterfield (10) 100 piece packages	3576915
5.87" Paper Plate White Round	\$35.53	Monogram (4) 250 plates per pack	6789887
Tray, Plastic Nacho 6x5x1.5 clear	\$18.65	Dart (24) packs 125 each	1205194
1.75 oz to 2.0oz bagged Chips	\$28.95	Lays 64 units each	5597604
Yellow Mustard Pouch	\$8.60	Sauer's (500) each 5.5 grams	5939129
Mayonaise Pouch	\$11.77	Sauer's (200) each 12 grams	5939160
Relish Pouch	\$10.69	Monarch (200) each 9 grams	6329213
Ketchup Pouch	\$23.08	Hunts 1000 each 9 grams	8011397
Pop Corn Raw Kit w/Oil & Salt	\$22.20	Fancy Farm (36) 8 oz packs	9089079
Napkin, Dispenser Tall Fold White	\$35.99	HyNap (40) 250 napkins per pack	2003705
Cup, Plastic 4 oz clear for cheese sauce	\$33.89	Dart (20) 125 per pack	367441
Foil wraps for hot dogs	\$47.38	Monogram 14x16 flat pack	6825970
Cinnamon Sticks	\$78.61	Packer-FI-UT	2780773
12 oz foam cups	\$18.35	Dart - 1000/case	3055258
8 oz foam cups	\$13.22	Dart - 1000/case	9122441
Lard	\$32.59	Ventura - 50lb box	609933
<b>Refrigerated Goods</b>			
Bacon Strips	\$38.62	Patuxent 150 slices each	1330257
Whole Kasher Dill Pickles	\$27.11	Monarch 75-80 Count Bucket	9376859
Ranch Dressing	\$14.68	Ken's (100) 1.5oz packs	4244166
American Cheese Slices	\$39.45	Glenview Farm (4) 5lb blocks 160 count each	7291972
<b>Frozen</b>			
5" Pizza Pepperoni	\$22.80	Tony's (24) 5.57oz	1010867
5" Pizza Cheese	\$22.89	Tony's (24) 4.98oz	2000917
Egg Sausage Cheese Breakfast Sandwich	\$16.61	Jimmy Dean (12) 4.9 oz	1426048
King Soft Baked Frozen Pretzel	\$25.96	Super Pretzel (50) 5 oz	2011278
Chocolate Chip Muffin	\$12.71	Spunkmeyer (24) 4 oz	1058718
4:1 Hot Dog All Beef 6"	\$22.41	Patuxent 10lb (40)	1330063

8:1 Hot Dog Chicken and Pork 6"	\$18.07	Fairland 10lb (80)	3226735
Polish Sausage 3.2 oz 6" link	\$23.31	Patuxent (5) 2lb packages 3.2 oz each	7358229
Ground Steak Burger Beef Patty	\$59.34	Cattleman Select (53)	5383054
Chicken Wings 1&2 JT Buffalo Jumbo	\$41.51	Patuxent (2) 5lb Bags	5695606
Big Cookie	\$26.67	Best Maid (72) 2 oz cookies per case	8943086
Snickerdoodle Cookie	\$26.67	Best Maid (72) 2 oz cookies per case	8943102
<b><u>Beverages</u></b>			
Apple Cider	\$31.20	Thirster (4) 1 gallon bottles per case	765248

in NC State's Request for Proposals (RFP) #63-JGD10232, followed by document (9) above, then continuing in reverse order (8, 7, 6, etc.).

- 2. **Term.** Contractor shall commence providing the Services on or about February 1, 2018, for a period of five (5) years plus 5 months, or June 30, 2023 (the "Term"). In addition, NC State reserves the option to renew this Agreement for two (2) additional two-year periods, not to exceed a total contract period of nine (9) years and five (5) months, or June 30<sup>th</sup>, 2027.
- 3. **Payment.** NC State shall pay the Contractor for actual deliveries accepted for the Services described herein.
- 4. **Key Personnel.** Contractor shall not substitute key personnel assigned to the performance of this Agreement without the prior written approval of NC State's Contract Administrator. Contractor's individual designated as key personnel for the purposes of this Agreement is Jon Garrett, Vice President.
- 5. **Notices.** All notices shall be hand delivered, sent by private overnight mail service, or sent by registered or certified U.S. mail and addressed to the party to receive such notice at the address given below, or such other address as may hereafter be designated by notice in writing:

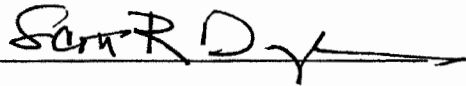
If to NC State:	Director of Materials Management NC State University Campus Box 7212 Raleigh, NC 27695-7212
-----------------	--

If to Contractor:	Jon Garrett, Vice President Premier Purchasing Partners 13034 Ballantyne Corporate Pl. Charlotte, NC 28277
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IN WITNESS THEREOF, the parties have executed this Agreement in duplicate originals, one of which is retained by each of the parties, effective the day and year first written above.

NC STATE UNIVERSITY:  
c/o Campus Enterprises  
University Dining

CONTRACTOR: Premier Purchasing Partners

By: 

By: 

Name: Scott R. Douglass

Name: Jon Garrett

Title: Vice Chancellor, Finance and Administration

Title: Vice President

Date: 01/19/2018

Date: 01/10/2018

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**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** honoring the life and achievements of Mary Margaret Tarwater.

**RESOLUTION NO. 21412**, October 2, 2023

**INTRODUCED BY** DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer, and Sean E. Smith, County Legislators

WHEREAS, Mary Margaret Tarwater passed away September 18, 2023, at the age of 84, leaving behind a legacy of love and devotion to her family; and,

WHEREAS, Mary was born on September 9, 1939, in Kansas City, Missouri, and was one of eight children born to Tom and Mary Shine of Ireland, instilling in her a strong sense of heritage and family values; and,

WHEREAS, on June 24, 1961, Mary wed Daniel Tarwater, Jr. and together they raised five children; and,

WHEREAS, Mary's commitment to education led her to become a dedicated grade school teacher, influencing and inspiring the young minds of our community; and,

WHEREAS, Mary found her greatest joy and fulfillment in raising her children, and being MiMi to her eight grandchildren, creating a home filled with warmth and love, where all were welcomed with open arms; and,

WHEREAS, Mary was a devout member of the St. Thomas More Church, where she nurtured her own faith and encouraged her children and grandchildren to embrace their Catholic upbringing; and,

WHEREAS, Mary was a stalwart supporter of her family, tirelessly campaigning for her son, Daniel Tarwater III's political endeavors, setting up her daughter's classrooms, and enthusiastically attending her grandchildren's various activities and sports events; and,

WHEREAS, Mary's adventurous spirit led her to explore the world alongside her siblings, creating cherished memories that spanned continents and cultures; and,

WHEREAS, Mary was known for her generous heart, exemplified through her beautifully wrapped gifts, unwavering support of numerous charities, and the invaluable gift of her time; and,

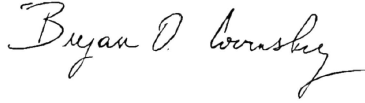
WHEREAS, Mary's unwavering devotion to the Kansas City Chiefs made her a true fan, embodying the spirit and pride of our beloved city; and,

WHEREAS, Mary is survived by her devoted children, Dan and wife Paula, Sean and wife Lexie, Terry and wife Jenny, Molly and husband Nick Carmadella; cherished grandchildren, Abby, Danny, Mitch, Sean, Brandon, Kevin, Dylan, and Raegan; beloved siblings, Rev. Jack Shine, Judy Folsom, Katie Wall and husband Brent, and numerous nieces and nephews, leaving an indelible mark on all who were fortunate enough to know her; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby honors the memory of Mary Margaret Tarwater and extends its heartfelt condolences to her family and friends during this time of sorrow.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21412 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** awarding a twelve-month term and supply contract, with two twelve-month options to extend, for the furnishing of Environmental Management Services for use by various County departments to EcoSafe Environmental Services of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 23-027.

**RESOLUTION NO. 21413**, October 2, 2023

**INTRODUCED BY** Charlie Franklin, County Legislator

WHEREAS, the Director of Finance and Purchasing has solicited bids on Invitation to Bid No. 23-027 for the furnishing of Environmental Management Services for use by various County departments; and,

WHEREAS, a total of eleven notifications were distributed and three responses were received and evaluated, from the following:

**BIDDERS**

B&R Insulation  
Lenexa, Kansas

EcoSafe Environmental Services  
Kansas City, MO

New Horizons  
Kansas City, MO

and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a twelve-month term and supply contract, with two twelve-month options to extend, to EcoSafe Environmental Services of Kansas City, MO, as the lowest and best responsive bidder; and,

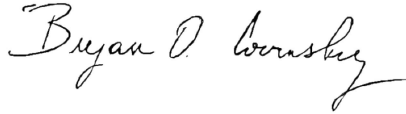
WHEREAS, this award is made on an as needed basis and does not obligate Jackson County to pay any specific amount, with the availability of funds for specific purchases subject to annual appropriation; now therefore,

BE IT RESOLVED that the award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and hereby is, authorized to execute for the County any documents necessary to the accomplishment of the award; 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 contracts to the extent that sufficient appropriations to the using spending agencies are available in the then current Jackson County budget.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21413 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

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 is subject to annual appropriation.

09/28/2023

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sylvya Stevenson (Sep 28, 2023 10:09 CDT)  
\_\_\_\_\_  
Chief Administrative Officer

# Request for Legislative Action

Res. #21413  
Sponsor: Charlie Franklin  
Date: October 2, 2023

## Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21413
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	10/2/2023

## Introduction

**Action Items:** ['Award']

**Project/Title:**

Awarding a Twelve (12) Month Term and Supply Contract with Two (2) Twelve Month Option to Extend for the furnishing of Environmental Management Services for use by various County Departments to EcoSafe Environmental Services of Kansas City, MO under the terms and conditions of Invitation to Bid No. 23-027.

## Request Summary

Various County Departments require a Term and Supply Contract for the furnishing of Environmental Management Services. The Purchasing Department issued Invitation to Bid No. 23-027 in response to those requirements. A total of 255 notifications were distributed, eleven (11) document takers with three (3) responses received and evaluated. An Executive Summary of the Invitation to Bid, including the Contractor's Quotations and the using departments Recommendation Memos are attached. Responses were received by:

- B&R Insulation (Lenexa, Kansas)
- EcoSafe Environmental Services (Kansas City, MO)
- New Horizon (Kansas City, MO)

Pursuant to Section 1054.6 of the Jackson County Code, the Purchasing Department recommends a award of a Twelve (12) Month Term and Supply Contract with Two (2) Twelve Month Option to Extend for the furnishing of Environmental Management Services to EcoSafe Environmental Services of Kansas City, MO under the terms and conditions of Invitation to Bid No.23-027 as the best qualified bid received.

The using County Departments state an annual estimated usage of \$40,000. The award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriations.

Certificate of Compliance current

## Contact Information

<b>Department:</b>	Finance	<b>Submitted Date:</b>	9/22/2023
<b>Name:</b>	Keith E. Allen	<b>Email:</b>	keallen@jacksongov.org
<b>Title:</b>	Senior Buyer	<b>Phone:</b>	816-881-3465

## Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
19867	May 21, 2018

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Formal Bid
Core 4 Tax Clearance Completed:	Not Applicable
Certificate of Foreign Corporation Received:	Yes
Have all required attachments been included in this RLA?	Yes

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Less than \$50000	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	

## Request for Legislative Action

Not Applicable	
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### Fiscal Information

- 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.

### History

Submitted by Finance requestor: Keith E. Allen on 9/22/2023. Comments:

Approved by Department Approver Lisa Honn on 9/22/2023 2:41:35 PM. Comments: Approving for Bob Crutsinger due to technical issue.

Approved by Purchasing Office Approver Barbara J. Casamento on 9/25/2023 10:41:19 AM. Comments:

Approved by Compliance Office Approver Melinda K. Bolling on 9/25/2023 12:31:58 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/25/2023 12:38:04 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 9/26/2023 10:03:51 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:03:13 PM. Comments:



## **JACKSON COUNTY Facilities Management Division**

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Jackson County Courthouse  
415 East 12th Street, Third Floor Mezzanine  
Kansas City, Missouri 64106  
jacksongov.org

(816) 881-3258  
Fax: (816) 881-3583

### **MEMORANDUM**

**From:** Rick Gerla, Facilities Management Administrator

**To:** Keith Allen, Senior Buyer, Purchasing Department

**Date:** 8/1/2023

**Subject:** Bid 23-027 – Environmental Management Services,  
Term and Supply Contract Recommendation

Keith,

This memorandum is being prepared and submitted in response to your request for feedback regarding the above contract being awarded by Jackson County for Environmental Management Services on a Term and Supply basis.

The Facilities Management Division recommends EcoSafe Environmental for the reason that, while not the lowest bidder, it has submitted the best bid in compliance with the bid specifications and departmental needs. EcoSafe Environmental will provide a wide variety of services and inspections for environmental management to cover the Facilities Management Division's needs. They have experience working with municipalities and government entities and are a 100% woman-owned and operated business. Annual spending for Facilities could be around \$25,000.00.

Thank you,

A handwritten signature in blue ink that reads "R Gerla".

Rick Gerla  
Facilities Management Administrator



**JACKSON COUNTY**  
**Parks + Rec**

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

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

## MEMORANDUM

**TO:** Keith Allen, Senior Buyer

**FROM:** John Johnson, Superintendent of Park Operations

**DATE:** July 28, 2023

**SUBJECT:** Term & Supply Contract No. 23-027, Environmental Management Services

The Parks + Rec Department's recommendation is to split award to New Horizons as the primary Environmental Management Services contractor and to EcoSafe Environmental as the secondary service provider.

New Horizons is the incumbent T&S contractor and has performed well when needed. They are the low bidder out of the three bids received. EcoSafe was second low, for the categories that Parks may need assistance with.

Given that illegal dumping of hazardous materials within the park system's 21,000+ acres is unpredictable, having two companies available to perform abatement work is essential.

Both recommended contractors had good references and well-qualified staff.

Parks + Rec projected usage during the next twelve months is \$15,000, subject budget approval/availability.



*Frank White, Jr., County Executive*





# 23-027 - Environmental Management Services

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	23-027
<b>Project Name</b>	Environmental Management Services
<b>Project Owner</b>	Keith Allen
<b>Project Type</b>	ITB
<b>Department</b>	Facilities Management
<b>Budget</b>	\$0.00 - \$0.00
<b>Project Description</b>	Jackson County, Missouri is seeking a Twelve (12) Month Term and Supply Contract with Two (2) Twelve Month Options to Extend for the furnishing of Environmental Management Services for use by the Facilities Management Division of Public Works.
<b>Open Date</b>	Jun 21, 2023 12:00 PM CDT
<b>Intent to Bid Due</b>	Jul 11, 2023 1:30 PM CDT
<b>Close Date</b>	Jul 11, 2023 2:00 PM CDT

<b>Highest Scoring Supplier</b>	<b>Score</b>
<b>New Horizons</b>	<b>91 pts</b>



## Seal status

Requested Information	Unsealed on	Unsealed by
Addenda	Jul 11, 2023 2:08 PM CDT	Keith Allen
Affidavit	Jul 11, 2023 2:08 PM CDT	Keith Allen
Certificate of Compliance	Jul 11, 2023 2:08 PM CDT	Keith Allen
Exhibit F - Exceptions	Jul 11, 2023 2:08 PM CDT	Keith Allen
References	Jul 11, 2023 2:08 PM CDT	Keith Allen
Statement of Contractor's Qualifications	Jul 11, 2023 2:08 PM CDT	Keith Allen
Term and Supply Contract Page	Jul 11, 2023 2:08 PM CDT	Keith Allen
Quotation Sheet	Jul 11, 2023 2:08 PM CDT	Keith Allen
Participation Affidavit	Jul 11, 2023 2:08 PM CDT	Keith Allen
Greater Kansas City Metro Area Memo	Jul 11, 2023 2:08 PM CDT	Keith Allen



# Scoring Summary

## Active Submissions

	<b>Total</b>	<b>A - Purchasing Score</b>	<b>A-1 - Addenda</b>	<b>A-2 - Affidavit</b>	<b>A-3 - Certificate of Compliance</b>
<b>Supplier</b>	<b>/ 100 pts</b>	<b>/ 0 pts</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>
New Horizons	91 pts	0 pts	Pass	Pass	Pass
EcoSafe Environmental Services	80.5 pts	0 pts	Pass	Pass	Pass
B&R Insulation	73.5 pts	0 pts	Pass	Pass	Pass

	<b>A-4 - Exhibit F - Bidder's Exceptions</b>	<b>A-5 - Statement of Contractor's Qualifications</b>	<b>A-6 - Term and Supply Contract Page</b>	<b>A-7 - Attachment 1 - Bidder's Quotation Sheet</b>	<b>A-8 - Greater KC Metro Area Memo</b>
<b>Supplier</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>



	<b>A-4 - Exhibit F - Bidder's Exceptions</b>	<b>A-5 - Statement of Contractor's Qualifications</b>	<b>A-6 - Term and Supply Contract Page</b>	<b>A-7 - Attachment 1 - Bidder's Quotation Sheet</b>	<b>A-8 - Greater KC Metro Area Memo</b>
<b>Supplier</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>
New Horizons	Pass	Pass	Pass	Pass	Pass
EcoSafe Environmental Services	Pass	Pass	Pass	Pass	Pass
B&R Insulation	Pass	Pass	Pass	Pass	Pass

	<b>B - Department Score</b>	<b>B-1 - References</b>	<b>B-2 - Exhibit F - Bidder's Exceptions</b>	<b>B-3 - Statement of Contractor's Qualifications</b>	<b>C - Pricing</b>
<b>Supplier</b>	<b>/ 40 pts</b>	<b>/ 10 pts</b>	<b>/ 5 pts</b>	<b>/ 25 pts</b>	<b>/ 60 pts</b>
New Horizons	36 pts	9.5 pts	5 pts	21.5 pts	55 pts
EcoSafe Environmental	31.5 pts	8 pts	4.5 pts	19 pts	49 pts



	<b>B - Department Score</b>	<b>B-1 - References</b>	<b>B-2 - Exhibit F - Bidder's Exceptions</b>	<b>B-3 - Statement of Contractor's Qualifications</b>	<b>C - Pricing</b>
<b>Supplier</b>	<b>/ 40 pts</b>	<b>/ 10 pts</b>	<b>/ 5 pts</b>	<b>/ 25 pts</b>	<b>/ 60 pts</b>
Services					
B&R Insulation	33.5 pts	8.5 pts	5 pts	20 pts	40 pts

	<b>C-1 - Attachment 1 - Bidder's Quotation Sheet</b>
<b>Supplier</b>	<b>/ 60 pts</b>
New Horizons	55 pts
EcoSafe Environmental Services	49 pts
B&R Insulation	40 pts

**ATTACHMENT 1  
BIDDER'S QUOTATION SHEET**

- **Straight Time:** 7:00 am – 5:00 pm, Monday through Friday
- **Overtime:** 5:01 pm – 6:59 am, Monday through Friday and all day on Saturdays
- **Premium Time:** All day on Sundays or a Federally recognized legal holiday
- **Labor Rates must include all overhead expenses**

Title/Class	Straight Time Rate	Overtime Rate	Premium Time Rate
Asbestos Inspector	\$75.00	\$112.50	150.00
Asbestos Management Planner	\$95.00	142.50	190.00
Asbestos Project Designer	\$95.00	142.50	190.00
Asbestos Supervisor	101.40	140.14	196.27
Asbestos Worker	97.53	139.33	171.15
(CDL) Driver	67.23	88.90	110.56
Equipment Operator	84.71	115.12	145.58
Laborer	71.87	95.85	119.83
Project Manager	95.00	118.75	148.20
Insulator	_____	_____	_____
Mold Management Planner	95.00	142.50	190.00
Mold Project Designer	95.00	142.50	190.00
Mold Supervisor	85.00	127.50	170.00
Mold Worker	64.21	96.18	128.42
Lead Paint Management Planner	95.00	142.50	190.00
Lead Paint Designer	95.00	142.50	190.00
Lead Paint Supervisor	74.96	100.50	126.03
Lead Paint Worker	71.87	95.85	119.83
Average Wage Rate (Sum of hourly wages in straight time column, divided by the number of straight time entries)	$\frac{11458.78}{17} = 85.88$	\$128.70	\$171.62

Abatement and Disposal Rates

Asbestos Containing Material	UNIT	Straight Time Rate	Overtime Rate	Premium Time Rate
Acoustic Ceiling Tile	Square Feet	2.25	4.00	5.50
Air Quality Testing/Monitoring	Per Test	\$650 Avg (6 Samples)	\$975	\$1,300 -
Asbestos (Disposal Only)	Cubic Yard	36.87	—	—
Asbestos Debris	Square Feet	2.00	3.75	7.50
Asphalt Shingle	Square Feet	1.50	2.25	3.00
Backing Paper	Square Feet	4.00	6.00	8.00
Ceiling Texture	Square Feet	12.25	17.80	34.30
Composite Roof Membrane	SQFT	6.00	9.00	12.00
Cover Base with Mastic	Linear Foot	1.75	3.00	5.50
Fire Safety Doors	Each	125	180	350
Flooring Material and Mastic	Square Feet	4.25	7.75	13.50
Gaskets	Each	150	225	300
Glue Dots	Square Feet	2.25	3.25	4.50
Lead Remediation	Square Feet	8.25	12.50	17.00
Mud Jacket Fittings	Each	45	62.50	100
Mold Remediation	Square Feet	VARIES EST. 57.50	11.25	15.00
Plaster	Square Feet	3.75	5.25	7.25

	Square Feet			
Rolled Roofing	Square Feet	2.50	3.75	4.75
Roof Flashing	Square Feet	3.75	5.00	7.25
Roof Seam Sealant	Square Feet	4.50	6.75	9.00
Sheetrock	Square Feet	2.50	3.75	4.75
Special Waste - 55 Gallon	Drum	32.00	—	—
Special Waste	Ton	185	—	—
Stucco	Square Feet	1.50	2.25	3.00
Thermal System Insulation (TSI) Breaching/Boiler	Square Feet	18.50	27.75	37.00
Transite Siding	Square Feet	2.00	3.00	4.00
TSI - Pipe Insulation	Linear Foot	30.00	45.00	60.00
Window Caulk/Glazing	Linear Foot	1.75	2.50	3.25
Total Abatement and Disposal (Straight Time Only)				



- Percentage markup on materials of net cost as reflected on supplier's invoices of parts, equipment, materials, and supplies must include all delivery charges.

20 %

- NOTE: Percentage mark-up for parts, equipment, materials, and supplies furnished by the subcontractors of the Successful Contractor shall be paid by the County only once and directly to the Successful Contractor and shall not exceed the percentage quoted above. The County will not pay rental fees to the successful contractor for equipment, parts and supplies that are customarily used in the operation of the Successful Contractor's business.

- Delivery Charge, if any, for parts: \$ 150

- Hours of Service

- Normal Service Days and Hours of availability:

- Monday - Friday, 7am - 5pm

- After Hours/Emergency Service Days and Hours of availability:

- 5:00 pm - 7:00 pm

- Contact Information

- Name: Sarah Scherr
- Contact Number: (816) 216-4115
- Email Address: sarah@ecosafehc.com

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** celebrating the contributions of Hispanic small businesses to Jackson County.

**RESOLUTION NO. 21414**, October 2, 2023

**INTRODUCED BY** Manuel Abarca IV, DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Venessa Huskey, and Jeanie Lauer, County Legislators

WHEREAS, the Hispanic community has made significant and lasting contributions to the success and growth of small businesses across the United States; and,

WHEREAS, Hispanic entrepreneurs have demonstrated exceptional dedication, creativity, and resilience in the face of challenges, driving innovation and job creation in various sectors of the economy; and,

WHEREAS, Hispanic-owned small businesses have played a crucial role in revitalizing neighborhoods, supporting local development, and fostering cultural exchanges, thereby enhancing social cohesion and understanding among diverse populations; and,

WHEREAS, nearly one in four new businesses is Hispanic-owned, with nearly five million Hispanic-owned businesses contributing over \$800 billion to the American economy annually; and,

WHEREAS, there are over 375,000 Hispanic-owned, employer businesses dispersed across all 50 states and the District of Columbia, which collectively employ at least one employee other than the owner; and,

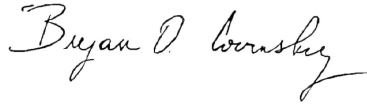
WHEREAS, Hispanic-owned employer businesses employ approximately one million workers, with an annual payroll exceeding \$100 billion, demonstrating an impressive growth rate of 14% between 2012 and 2017 — more than twice as fast as the national average; and,

WHEREAS, in the decade preceding the pandemic, there was an increase of 34% in the number of Hispanic business owners, a stark comparison to the mere 1% increase among non-Hispanic business owners; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby recognizes the significant contributions of Hispanic small businesses to the economic prosperity, cultural richness, and social fabric of our community and our nation.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21414 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** recognizing the valuable contributions of Hispanic first responders.

**RESOLUTION NO. 21415**, October 2, 2023

**INTRODUCED BY** Manuel Abarca IV, DaRon McGee, Jalen Anderson, Donna Peyton, Charlie Franklin, and Jeanie Lauer, County Legislators

WHEREAS, the dedicated and valiant efforts of first responders are vital to ensuring the safety, health, and well-being of our communities; and,

WHEREAS, Hispanic First responders have made significant contributions to emergency services, displaying unwavering dedication, skill, and compassion; and,

WHEREAS, Hispanic First responders exemplify resilience, unity, and the embodiment of public service, showcasing their commitment for helping others in times of need; and,

WHEREAS, Hispanic first responders enrich our communities through their cultural diversity and heritage, enhancing understanding and inclusivity within our society; and,

WHEREAS, it is essential to honor and acknowledge the remarkable achievements and contributions of Hispanic responders; now therefore,

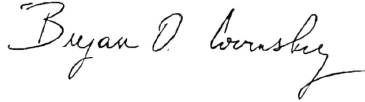
BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby honors and celebrates all Hispanic first responders, including those listed below, for their bravery, dedication, and service to our communities, and commends them for their ongoing commitment to public safety.

Mark Estrada	Estevan Du Que	Joseph Merino
Dalton Flores	Francisco Du Que	Arthur Miranda
Noe Sosa	Alma Estrada	Uriel Ojeda
Alvaro Bermudez	Naomi Fabian	Marco Olivas
Carlos Torres	Mario Florido	Matthew Oropeza
Manuel Anchondo	Jamie Frates	Luis Ortiz
Andrew Arellano	Antonio Garcia	Antoney Perez
Yoshua Baldovinos	Juan Garcia	Aranzazu Perez
Charles Barbosa	Santiago Garza	Alvaro Pino Quintana
Edward Caballero	Ruben Gonzales	Daniel Quiles
Rudy Camacho	Edwin Gordillo	Vincent Reyes
Jonathan Campbell	Adolfo Gutierrez Castell	Vincent Rocha
Pedro Caraballo	Roman Guzman	Richard Salzman
Christopher Cesena	Anthony Hernandez	Kenneth Secaida
Belkis Cisneros	Carlos Hernandez	Lisa Sidenstick
Steven Cisneros	Timothy Hernandez	Sarah Throckmorton
Lionel Colon	Daniel Hernandez Feyt	Rafael Torres Castillo
David Conchola	Nicholas Horine	Daniel Vasquez
Jedidiah Cordova	Jesse Jasso	Ephraim Vega
Alexander Cruz	Jason Kern	Albert Villafain
Joseph Daneff	Jose Madera	Octavio Villalobos
Ezequiel De Loera	Richard Marquez	Gregory Williams
Billy Dotson	Luis Matos	Justin Wood
Donna Drake	Carlos Mena	Alexander Yocum
Joe Ortega	Javier Juarez	Luis Mendez
Aaron Godinez	Anthony Bruno	Brian Taylor
Alexander Olmedo	Anthony Lipari	Carlos Olivas
Alheim Amador	Augustine Contreras	Carlos Ruiz
Andre Zuniga	Austin Slegl	Christian Cleves
Andrew Lipari	Benjamin Clayton	Christopher Hernandez
Andrew Bera	Brett Coomer	Colby Johnson
David Castro	Jose Ubaldo	Nicholas Schoen

David Quintero	Joseph Castro	Nicholas Lopez
Dominic Perez	Joseph Ortega	Nicolas Diaz
Edgar Beltran	Joseph Nigro	Nicolas Jack
Edwin Castaneda	Joseph Serrone	Patrick Ruiz
Emilio Alvarez	Joshua Tirado	Pedro Santiago
Eric Marsalla	Juan Olivas	Raul Gonzalez
Esteban Navarro	Keith Larabee	Reece Carrillo
Francis Gomez	Kevin Stadler	Ricardo Lopez
Gabriel Trillin	Manzo Lepe	Robert Salazar
Gerardo Zamora	Marco Rangel	Rodrigo Barriga
Gustavo Jorge	Mario Rangel	Ronald Steiner
Gustavo Gomez	Mark Juarez	Ryan King
Ian Freudenburg	Matthew Delcastillo	Samuel Sosa
Javier Navarro Ibarra	Maurice Gilchrist	Samuel Wiese
Isaac Jimenez	Michael Brzezinski	Scott Martinez
Isaiah Russell	Michael Machado	Stephen Carney
Jaime Diaz	Michael Perez	Sterling Witt
Jared Lino	Michael Castaneda	Steve Vandegrift
Javier Juarez	Michael Castaneda	Steven Sosa
John Castaneda	Nicholas Silvio	Tommy Ferrante
John Speer	Nicholas Garcia	Tristan Seiter
John Fiorello	Nicholas Hertzog	Usala Still
Jorge Marquez	Nicholas Jorgensen	Xavier Loya

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21415 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature



## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**A RESOLUTION** celebrating the work of the Greater Kansas City Hispanic Development Fund to advance the Latino community for nearly four decades.

**RESOLUTION NO. 21416**, October 2, 2023

**INTRODUCED BY** Manuel Abarca IV, Jalen Anderson, Donna Peyton, Charlie Franklin, Jeanie Lauer, and Sean E. Smith, County Legislators

WHEREAS, the Hispanic Development Fund (HDF) was established in 1983 to improve the quality of life of Latino families in Greater Kansas City by engaging the Latino community in philanthropy to build stronger communities through grantmaking and scholarship support; and,

WHEREAS, HDF has granted over \$3 million to more than 50 Latino-serving organizations in the Greater Kansas City area; and,

WHEREAS, the HDF Scholarship Program has removed financial barriers to college by providing over \$10 million in scholarships to nearly 6,000 Kansas City Latino students, making it one of the largest Latino-serving scholarship programs in the nation; and,

WHEREAS, HDF has increased philanthropy in the Kansas City Latino community through Cambio para Cambio (Change for Change), a community-led campaign that realizes the philanthropic power of Latino students, families, businesses, and professional organizations; and,

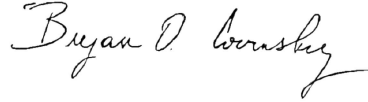
WHEREAS, the HDF Family College Prep Program increases access to college for Kansas City students and families through bilingual family nights, college campus visits, scholarship and FAFSA workshops, and one-on-one college advising; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby acknowledges the work of the Greater Kansas City Hispanic Development Fund, its steadfast belief in advancing the Latino community through higher education, and its role in developing generations of Kansas City Latino leaders; and,

BE IT FURTHER RESOLVED that the Legislature celebrates the Greater Kansas City Hispanic Development Fund's commitment now and in the future to Latino students, families, and community in the Greater Kansas City metropolitan area.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21416 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** appointing Melinda Bolling to the position of Chief Compliance Review Officer pursuant to section 629.1 of the Jackson County Code.

**RESOLUTION NO. 21417**, October 2, 2023

**INTRODUCED BY** Megan L. Marshall, Jeanie Lauer, Sean E. Smith, and Donna Peyton,  
County Legislators

WHEREAS, the County's Chief Compliance Review Officer (CRO) Jaime Guillen has resigned from his position; and,

WHEREAS, it is appropriate that the Legislature appoint a successor CRO to fill this vacancy; and,

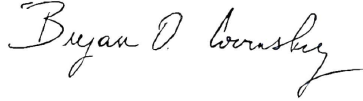
WHEREAS, Melinda Bolling possesses all of the qualifications required for this office; and,

WHEREAS, at its meeting of September 25, 2023, the Legislature's Finance and Audit Committee recommended the appointment of Melinda Bolling to the position of CRO pursuant to section 629.1 of the Jackson County Code; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Melinda Bolling be and hereby is appointed Chief Compliance Review Officer to fill the vacancy created by the resignation of Jaime Guillen pursuant to section 629.1 of the Jackson County Code.

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

APPROVED AS TO FORM:



\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21417 of October 2, 2023, was duly passed on \_\_\_\_\_, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of the Legislature

# Request for Legislative Action

Res. #21417  
Sponsor: Megan L. Marshall  
Date: October 2, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21417
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	10/2/2023

Introduction	
<b>Action Items:</b> ['Authorize']	
<b>Project/Title:</b>	
Chief Compliance Review Officer appointed	

Request Summary	
See attached file.	

Contact Information			
<b>Department:</b>	Legislative Auditor	<b>Submitted Date:</b>	9/14/2023
<b>Name:</b>	Megan L. Marshall	<b>Email:</b>	MMarshall@jacksongov.org
<b>Title:</b>		<b>Phone:</b>	816-200-1310

Budget Information			
Amount authorized by this legislation this fiscal year:	\$ 0		
Amount previously authorized this fiscal year:	\$ 0		
Total amount authorized after this legislative action:	\$		
Is it transferring fund?	No		
<b>Single Source Funding:</b>			
Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

Prior Legislation	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:
20511	September 30, 2020

## Request for Legislative Action

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
•	

## Request for Legislative Action

### History

Submitted by Legislative Auditor requestor: Megan L. Marshall on 9/14/2023. Comments:

Approved by Department Approver Troy Thomas on 9/27/2023 11:06:11 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 9/27/2023 11:22:05 AM.  
Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/27/2023 11:25:50 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/27/2023 11:40:38 AM. Comments:

Approved by Executive Office Approver Troy Schulte on 9/27/2023 11:58:29 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 9/28/2023 12:04:15 PM. Comments: