

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$43,819.85 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of the Jackson County Multi-Jurisdictional Drug Task Force grant received from the United States Department of Justice (JAG Program).

ORDINANCE #4221, August 2, 2010

INTRODUCED BY Dan Tarwater, County Legislator

WHEREAS, the Jackson County Multi-Jurisdictional Drug Task Force has received a Justice Assistance Program (JAG) grant from the U.S. Department of Justice in the amount of \$43,819.85 for the period of July 1, 2010 through June 30, 2011; and,

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

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

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Drug Sales Tax Fund			
Multi-Jurisdictional Drug Task Force			
008-4155	45783 - Increase Revenues	\$43,819.85	
008-2810	Undesignated Fund Balance		\$43,819.85
008-2810	Undesignated Fund Balance	\$43,819.85	
008-4155	56790 - Other Contractual		\$12,619.85
008-4155	56630 - Auto Lease		\$31,200.00

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

APPROVED AS TO FORM:

Jim D. Hader
Chief Deputy County Counselor

Wm G. Sipek
Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance #4221 introduced on August 2, 2010, was duly passed on August 3, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

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

8.3.10
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4221.

8/4/2010
Date

Michael D. Sanders
Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 008 2810
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Undesignated Fund Balance
NOT TO EXCEED: \$43,819.85

July 28, 2010
Date

D. Longman
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:
~~Res~~Ord No.: 4221
 Sponsor(s): Dan Tarwater
 Date: August 2, 2010

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: Multi-Jurisdictional Task Force 10-11 – Recovery Act																
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="350 541 1170 982"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$43,819.85</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$43,819.85</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> <tr> <td>From Account 008-2810, Anti-Drug Sales Tax Fund – undesignated fund balance</td> <td>\$43,819.85</td> </tr> <tr> <td>To Account 008-4155-56790, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Other Contractual</td> <td>\$12,619.85</td> </tr> <tr> <td>To Account 008-4155-56630, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Auto Lease</td> <td>\$31,200.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$43,819.85	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$43,819.85	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:		From Account 008-2810, Anti-Drug Sales Tax Fund – undesignated fund balance	\$43,819.85	To Account 008-4155-56790, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Other Contractual	\$12,619.85	To Account 008-4155-56630, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Auto Lease	\$31,200.00
Amount authorized by this legislation this fiscal year:	\$43,819.85																
Amount previously authorized this fiscal year:																	
Total amount authorized after this legislative action:	\$43,819.85																
Amount budgeted for this item * (including transfers):	\$																
Source of funding (name of fund) and account code number:																	
From Account 008-2810, Anti-Drug Sales Tax Fund – undesignated fund balance	\$43,819.85																
To Account 008-4155-56790, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Other Contractual	\$12,619.85																
To Account 008-4155-56630, Anti-Drug Sales Tax Fund – Multi-Jurisdictional Drug Task Force, Auto Lease	\$31,200.00																
PRIOR LEGISLATION	Prior ordinances and (date): <u>#4017, 8/18/08; #4019, 8/18/08</u> <u>#4168, 11/2/09; #4127, 8/3/09</u> Prior resolutions and (date):																
CONTACT INFORMATION	RLA drafted by Danny R. Cummings, O.I.C., 816-655-3773																
REQUEST SUMMARY	The Jackson County Drug Task Force requested from the US Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program \$43,819.85 for the period July 01, 2010 through June 30, 2011. Please appropriate \$43,819.85 from the undesignated fund balance into 008-4155: 56790 – Other Contractual \$12,619.85 56630 – Auto Lease \$31,200.00																

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director: <i>[Signature]</i>	Date: 7-27-10
	Finance (Budget Approval): <i>If applicable</i> <i>[Signature]</i>	Date: 7/27/10
	Division Manager: <i>[Signature]</i>	Date: 7/27/10
	County Counselor's Office:	Date:

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

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

Account Number:	Account Title:	Amount Not to Exceed:
008-2810	Anti-Drug Sales Tax Fund – Undesignated Fund Balance	\$43,819.85

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

Supplemental Appropriation Request Jackson County, Missouri

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

Date: July 27, 2010

ORD # 4221

<u>Department / Division</u>	<u>Character/Description</u>	<u>From</u>	<u>To</u>
Anti-Drug Sales Tax Fund - 008			
4155 - Multi-Jurisdictional Drug Task Force	45783 - Increase Revenues	43,819.85	
2810	Undesignated Fund Balance		43,819.85
2810	Undesignated Fund Balance	43,819.85	
4155 - Multi-Jurisdictional Drug Task Force	56790 - Other Contractual		12,619.85
4155 - Multi-Jurisdictional Drug Task Force	56630 - Auto Lease		31,200.00
	Total	43,819.85	43,819.85

Budgeting 7/27/10



MISSOURI DEPARTMENT OF PUBLIC SAFETY
 OFFICE OF THE DIRECTOR
 AWARD OF CONTRACT

MAILED
 7-14-10


P.O. Box 749
 Jefferson City, Missouri 65102
 Phone: (573) 751-4905


Contractor Name: Jackson, County of		
Project Title: Jackson County Multi-Jurisdictional Drug Task Force		
Contract Period: FROM 7/1/2010 12:00:00 AM TO 6/30/2011 12:00:00 AM	State/Federal Funds Awarded: \$43,819.85	Contract Number: 2009-JAG-RA-051

Award is hereby made in the amount and for the period shown above to the above-mentioned Contractor. This award is subject to compliance with the general conditions governing grants and contracts, as well as, any attached Special Conditions. This award is also subject to compliance with all current applicable federal and state laws, regulations and guidelines.

This award is subject to Special Conditions (if the box is checked, see attached).

The undersigned hereby certify acceptance of the above-described contract on the terms and conditions specified or incorporated by reference above and herein, including those stated in the contract application.

 7/12/2010
 Authorized Official Date

 7/18/10
 Project Director Date

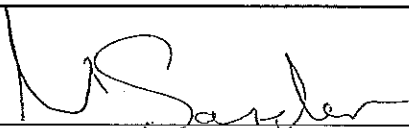
This contract shall be in effect for the duration of the contract period stated herein, and funds shall become available on the award date with the signed return of this form to the Missouri Department of Public Safety and the signature of the Deputy Director of the Department of Public Safety.

 Deputy Director, Department of Public Safety

July 1, 2010
 Award Date

RECOVERY ACT: APPLICATION FOR FUNDING FORM

DPS 12/09

SECTION 1 - GRANT PROGRAMS			
<input checked="" type="checkbox"/> Recovery Act - JAG		<input type="checkbox"/> Recovery Act - LLEBG/JAG - Local Block Grant	
		<input type="checkbox"/> Recovery Act - MJCCG/JAG - Cyber Crime Grant	
SECTION 2 - REGISTRATION			
DUNS (Data Universal Numbering System) #: 026-546-940		CCR (Central Contractor Registration) CAGE/NCAGE #: 524-5298	
SECTION 3 - APPLICANT AGENCY		SECTION 8 - PROJECT TITLE	
AGENCY Jackson County	PHONE: (816)655-3755 FAX: (816)224-3360	Jackson County Multi-Jurisdictional Drug Task Force	
SECTION 9 - TYPE OF APPLICATION			
ADDRESS PO Box 392		<input type="checkbox"/> New <input type="checkbox"/> Revised <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Continuation	
CITY Blue Springs	STATE MO	ZIP CODE 64015	SECTION 10 - CURRENT CONTRACT NUMBER 2008-JAG-1-001
SECTION 4 - APPLICANT AUTHORIZED OFFICIAL		SECTION 11 - APPLICANT'S FEDERAL TAX I.D. #	
NAME Micheal Sanders	PHONE: (816) 881-3333 FAX: (816) 881-3133	44-6000524	
SECTION 12 - PROGRAM CATEGORY			
TITLE County Executive	Law Enforcement		
AGENCY Jackson County	SECTION 13 - CONTRACT PERIOD		
ADDRESS 415 East 12 th Street	Start Date 07/01/2010	End Date 06/30/2011	
CITY Kansas City	STATE MO	ZIP CODE 64106	SECTION 14 - TYPE OF PROJECT
SECTION 5 - APPLICANT PROJECT DIRECTOR		<input type="checkbox"/> Statewide <input type="checkbox"/> Regional <input checked="" type="checkbox"/> Local	
NAME Chief Herb Soule	PHONE: (816) 521-7923 FAX: (816) 461-3493	SECTION 15 - PROGRAM INCOME	
TITLE Chairman	Will Program Income be generated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
AGENCY Sugar Creek Police Department	SECTION 16 - BUDGET		TOTAL COST
ADDRESS 1001 Heroes Way	PERSONNEL		\$12,619.85
CITY Sugar Creek	STATE MO	ZIP CODE 64054	VOLUNTEER MATCH 0.00
SECTION 6 - APPLICANT FISCAL OFFICER		TRAVEL	
NAME Tim Bradley	PHONE: (816) 881-3358 FAX: (816) 881-3877	EQUIPMENT	
TITLE Assistant to Manager of Finance	SUPPLIES/OPERATIONS		
AGENCY Jackson County	CONTRACTUAL		\$31,200.00
ADDRESS 415 East 12 th Street	RENOVATION/CONSTRUCTION		0.00
CITY Kansas City	STATE MO	ZIP CODE 64105	TOTAL PROJECT COSTS \$ 43,819.85
SECTION 7 - OTHER CONTACT FOR REPORTING		FEDERAL/STATE SHARE 100 % \$ 43,819.85	
TITLE & NAME Accounting & Finance Administrator / Sarah Matthes	PHONE: (816) 881-3454 FAX: (816) 881-3877	LOCAL MATCH SHARE 0 % \$ 0.00	
EMAIL ADDRESS smatthes@jacksongov.org	SECTION 17 - AUTHORIZED OFFICIAL SIGNATURE		
AGENCY Jackson County			
ADDRESS 415 East 12 th Street			
CITY Kansas City	STATE MO	ZIP CODE 64015	Date 8/10/2010

JAG SPECIAL CONDITIONS

MISSOURI DEPARTMENT OF PUBLIC SAFETY
Criminal Justice/Law Enforcement Grant Section
American Recovery and Reinvestment Act of 2009 (Recovery Act)
Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Applicant Agency:	Jackson, County of
Project Title:	Jackson County Multi-Jurisdictional Drug Task Force
Contract Number:	2009-JAG-RA-051
Contract Period:	7/1/2010 12:00:00 AM to 6/30/2011 12:00:00 AM

By signing the Award of Contract and Special Conditions for the 2010 Recovery Act - JAG Program, the unit of local government (Applicant Agency, hereafter Applicant) enters a binding contract with the Missouri Department of Public Safety to purchase the specific items approved under this contract and perform the services as outlined in the approved application. In accepting this award and JAG program-specific special conditions, the unit of local government and law enforcement agency agrees to the following:

STATE OF MISSOURI / DEPARTMENT OF PUBLIC SAFETY SPECIAL CONDITIONS:

- RELEASE OF FUNDS:** No funds will be disbursed under this contract until such time as all required documents are signed by the Authorized Official and Project Director and returned to the Missouri Department of Public Safety, Office of the Director for final review and signature by the Director or his/her designee.
- PEACE OFFICER CERTIFICATION:** The law enforcement agency under this contract assures it is in full compliance with Sections 590.100 to 590.180, RSMo relating to peace officer certification. Section 590.180, RSMo, subsection 2 requires that, *"Any law enforcement agency which employs a peace officer who is not certified as required by sections 590.100 to 590.180 or who is otherwise in violation of any provision of section 590.100 to 590.180 shall not be eligible to receive state or federal funds which would otherwise be paid to it for purposes of training and certifying peace officers or for other law enforcement, safety, or criminal justice purposes."*
- UCR, RACIAL PROFILING, & FEDERAL SEIZURE REPORTING:** The law enforcement agency under this contract assures that it is in full compliance with the provisions of Section 43.505 RSMo relating to uniform crime reporting, Section 590.650, RSMo relating to racial profiling reporting, and Section 513.653 RSMo relating to the audit of federal seizures. Failure to comply with these sections by the law enforcement agency may result in the withholding of federal funds or termination of this Contract.
- DUPLICATION OF NETWORKS:** All equipment/software purchased under this Contract must be compatible with the statewide system. All communication devices, if applicable, must be Project 25 (P25) compliant. Devices which are P25 capable will not be allowed without the proper software to make them compliant.
- DATA COLLECTION:** To complete and submit any reports required for this program. The reports requested may require reporting on fiscal, operational, and statistical matters. Failure to submit reports by the deadline dates may result in delay for reimbursement requests.
- ALLOWABLE COSTS:** Only allowable and approved contract purchases can be reimbursed from this account. This fund may not be utilized to pay debts incurred by other activities.
- ACTIVITIES WITHIN CONTRACT PERIOD:** To purchase or use funds only towards those items approved in the contract application no later than the last day of the contract period. Any deviation from the approved contract must have prior approval from the Missouri Department of Public Safety.
- EQUIPMENT/FURNITURE:** To submit copies of invoices to the Missouri Department of Public Safety for any equipment/furniture with the monthly expenditure report to verify approved purchases.

9. **EQUIPMENT/FURNITURE TAGS:** Any equipment/furniture items purchased under this contract will be used for criminal justice purposes only and must be labeled with an inventory control tag that states the item was purchased with 2010 Recovery-JAG funds. All items must also be recorded in an inventory control listing.
10. **TRAINING:** To submit copies of training certificates (or adequate documentation in the event a certificate is not generated) with the monthly expenditure report to verify the completion of training as funded by the Missouri Department of Public Safety.
11. **PROGRAM CHANGES:** Notify the Missouri Department of Public Safety on the *Change of Information* form in the event of a change in the Authorized Official, Project Director, Officer in Charge, and/or other program staff approved within the contract.
12. **BUDGET CHANGES:** Budget Revisions must be submitted in writing on a *Request to Revise the Budget* form at least 30 days prior to the end of the contract period and at least 30 days prior to the proposed change going into effect. Any budget revisions received less than 30 days prior to the end of the contract will not be reviewed.
13. **MONITORING:** All documentation or records relating to this contract shall be made available to monitoring representatives of the Missouri Department of Public Safety, Office of the Director, immediately upon request.
14. **MITIGATION PLAN:** Applicant agrees to fully comply with the Missouri Department of Public Safety's Mitigation Plan for Clandestine Methamphetamine Laboratory Enforcement Operations. No monies from this award may be obligated to support methamphetamine lab operations unless the Applicant agrees to this special condition and fully participates in implementation of the Mitigation Plan.
15. **ENFORCEABILITY:** If a Applicant fails to comply with all applicable federal and state requirements governing these funds, the State of Missouri may withhold or suspend, in whole or in part, funds awarded under the program, or recover misspent funds following an audit. This provision is in addition to all other remedies provided to the State of Missouri for recovery of misspent funds available under all applicable state and federal laws.
16. **EMPLOYMENT OF UNAUTHORIZED ALIENS PROHIBITED:**
 - a. Pursuant to §285.530.1, RSMo, the Applicant assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, the Applicant shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.
 - b. In accordance with sections 285.525 to 285.550, RSMo a general contractor or subcontractor of any tier shall not be liable when such contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of section 285.530, RSMo if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of section 285.530, RSMo and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.

OFFICE OF JUSTICE PROGRAMS GENERAL SPECIAL CONDITIONS:

1. **FINANCIAL GUIDE:** The Applicant agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
<http://www.ojp.usdoj.gov/financialguide/index.htm>
2. **CIVIL RIGHTS/EEOP:** The Applicant acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if Applicant is required to submit one pursuant to 28 CFR section 42.302), approved by the Office

of Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the Applicant is in compliance.

3. **AUDIT:** The Applicant agrees to comply with the organizational requirements of OMB Circular, A-133, Audits of States, Local Governments and Non-Profit organizations, as further described in the current edition of OJP's Financial Guide, Chapter 19.
4. **USE OF FEDERAL FUNDS/LOBBYING:** The Applicant understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express written approval of OJP.
5. **NEPA:** The Applicant agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds. Accordingly, prior to obligating grant funds, the Applicant agrees to first determine if any of the following activities will be related to the use of the grant funds.

The Applicant understands this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity being conducted by the Applicant or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- A. New construction;
- B. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- C. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- D. Implementation of a new program involving the use of chemicals other than chemicals that are a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.
- E. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Application of This Special Condition to Applicant's Existing Programs or Activities: For any of the Applicant's existing programs or activities that will be funded by these grant funds, the Applicant, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of national or program environmental assessment of that funded program or activity.


6. **28 C.F.R. PART 23:** The Applicant agrees to comply with 28 CFR Part 23 if federal funds are used to support Criminal Intelligence Systems.
7. **JAG NON-SUPPLANTING:** The Applicant assures that funds received under this contract will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
8. **SAFE STREETS ACT:** The Applicant assures that it shall comply, and all its subcontractors shall comply, with the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C.
9. **DISCRIMINATION:** Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.
10. **ENFORCING CIVIL RIGHTS LAWS:** All recipients of Federal financial assistance, regardless of the particular source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions

against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

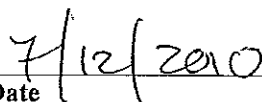
11. **LIMITED ENGLISH PROFICIENCY (LEP):** In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S. C., recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs or activities for persons with LEP. For more information, visit <http://www.lep.gov>.

Failure to comply with any of the foregoing Special Conditions could result in funds being withheld until such time as the Applicant takes appropriate action to rectify the incident(s) of non-compliance. The Applicant hereby certifies, by signature, acceptance of the terms and conditions specified or incorporated by reference herein, including those stated in the contract application.

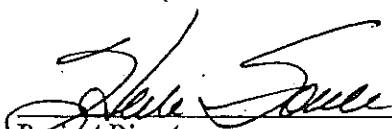
Applicant Acceptance of Special Conditions:



Authorized Official



Date



Project Director



Date

RECOVERY ACT - JAG SPECIAL CONDITIONS

MISSOURI DEPARTMENT OF PUBLIC SAFETY
Criminal Justice/Law Enforcement Grant Section
American Recovery and Reinvestment Act of 2009 (Recovery Act)
Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Applicant Agency:	Jackson, County of
Project Title:	Jackson County Multi-Jurisdictional Drug Task Force
Contract Number:	2009-JAG-RA-051
Contract Period:	7/1/2010 12:00:00 AM to 6/30/2011 12:00:00 AM

By signing the Award of Contract and Special Conditions for the 2010 Recovery Act - JAG Program, the unit of local government (Applicant Agency, hereafter Applicant) enters a binding contract with the Missouri Department of Public Safety to purchase the specific items approved under this contract and perform the services as outlined in the approved application. In accepting this award and Recovery Act-JAG program-specific special conditions, the unit of local government and law enforcement agency agrees to the following:

In accordance with the American Recovery and Reinvestment Act of 2009 (ARRA), §3, funds made available under ARRA should be used to preserve and create jobs and promote economic recovery; assist those most impacted by the recession; provide investment needed to increase economic efficiency by spurring technological advances in science and health; invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases. ARRA funds should be managed and expended so as to achieve the purposes specified as quickly as possible consistent with prudent management.

Congress has specifically mandated that all ARRA recipients that receive funds directly from the federal government must report on the use of said funds for purposes of transparency and oversight. All funds issued under ARRA are subject to unparallel scrutiny, with specific distribution and reporting requirements by the federal government and the State of Missouri.

ARRA funds are derived from a unique funding source and shall be tracked separately at all times. Accordingly, it is agreed and understood that by accepting ARRA funds through this contract that each Applicant assures that it will fully comply with the requirements herein and any requirements hereafter issued by the federal government or the State of Missouri for compliance with ARRA and other related federal and state laws. Further, it is understood that this contract is subject to all applicable terms and conditions of ARRA. It is anticipated that future guidance on requirements for tracking and reporting expenditures of ARRA funds will be issued by the Director of the Office of Management and Budget (OMB) or other federal agencies. Each Applicant specifically assures that it will comply with all such requirements as published at any time during the contract period in order to allow for the accountability of ARRA funds in a manner that ensures transparency and accountability in accordance with all program and ARRA requirements.

OFFICE OF JUSTICE PROGRAMS SPECIAL CONDITIONS:

- 1. CONFLICT WITH OTHER STANDARD TERMS AND CONDITIONS:** The Applicant understands and agrees that all other terms and conditions contained in this award, or in applicable OJP grant policy statements or guidance, apply unless they conflict or are superseded by the terms and conditions included here that specifically implement the American Recovery and Reinvestment Act of 2009, Public Law 111-5 ("ARRA" or "Recovery Act") requirements.

2. **ACCESS TO RECORDS; INTERVIEWS:** The Applicant understands and agrees that Department of Justice (including Office of Justice Programs and the Office of the Inspector General), and its representatives, and the Government Accountability Office (GAO), shall have access to and the right to examine all records (including, but not limited to, books, papers, and documents) related to this Recovery Act award. The Applicant also understands and agrees that DOJ and the GAO are authorized to interview any officer or employee regarding transactions related to this Recovery Act award.
3. **ONE-TIME FUNDING:** The Applicant understands that awards under the Recovery Act could be one-time awards.
4. **SEPARATE TRACKING AND REPORTING OF FUNDS AND OUTCOMES:** The Applicant agrees to track, account for, and report on all funds from this Recovery Act award (including specific outcomes and benefits attributable to Recovery Act funds) separately from all other funds, including DOJ award funds from non-Recovery Act awards awarded for the same or similar purposes or programs.

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects but tracking and reporting of Recovery Act funds must be separate. Accordingly, the accounting systems of the Applicant must ensure that funds from this Recovery Act award are not commingled with funds from any other source.

The Applicant further agrees that all personnel whose activities are to be charged to the award will maintain timesheets to document hours worked for activities related to this award and non-award-related activities.

5. **DUNS AND CCR FOR REPORTING:** The Applicant agrees to maintain a valid DUNS profile (<http://fedgov.dnb.com/webform/displayHomePage.do>) and an active registration with the CCR database (<https://www.bpn.gov/ccr/default.aspx>) for the duration of the contract period.
6. **TRANSACTIONS LISTED IN SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS:**
 - a. The Applicant agrees to maintain records that identify adequately the source and application of Recovery Act funds, to maximize the transparency and accountability of funds authorized under the Recovery Act as required by the Act and in accordance with 2 CFR 215.21, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and OMB A-102 Common Rules provisions (relating to Grants and Cooperative Agreements with State and Local Governments).
 - b. The Applicant agrees to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) information and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This condition only applies if the Applicant is covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This shall be accomplished by identifying expenditures for Federal awards made under the Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix "ARRA-" in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III of the SF-SAC.
7. **REPORTING AND REGISTRATION REQUIREMENTS UNDER SECTION 1512 OF RECOVERY ACT:**
 - a. The Applicant agrees to complete projects or activities which are funded under the Recovery Act and to report on use of the Recovery Act funds provided through this award. Information from these reports will be made available to the public.
 - b. The reports are due no later than five (5) calendar days after each calendar quarter in which the Applicant receives the assistance award funded in whole or in part by the Recovery Act.
 - c. The Applicant assures it will maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

8. **REPORTING POTENTIAL FRAUD, WASTE, AND ABUSE, AND SIMILAR MISCONDUCT:** The Applicant must promptly refer to the Department of Public Safety any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other persons has either 1) submitted a false claim for Recovery Act funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.
9. **PROTECTING STATE AND LOCAL GOVERNMENT AND CONTRACTOR WHISTLEBLOWERS:** The Applicant recognizes that the Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross mismanagement, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act: www.ojp.usdoj.gov/recovery.
10. **LIMIT ON FUNDS (RECOVERY ACT, SECTION 1604):** The Applicant agrees that none of the funds under this award may be used by any State or local government, or any private entity, for construction costs or any other support of any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.
11. **WAGE RATE REQUIREMENTS (RECOVERY ACT, SECTION 1606):** The Applicant understands that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.
12. **NEPA AND RELATED LAWS:** The Applicant understands that all OJP awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 *et seq.*) and other related Federal laws (including the National Historic Preservation Act), if applicable. The Applicant agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.
13. **MISUSE OF AWARD FUNDS:** The Applicant understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
14. **RECIPIENT REPORTING:** Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds shall submit a report that contains—
 - a. the total amount of recovery funds received from that agency;
 - b. the amount of recovery funds received that were expended or obligated to projects or activities; and
 - c. a detailed list of all projects or activities for which recovery funds were expended or obligated, including—
 1. the name of the project or activity;
 2. a description of the project or activity;
 3. an evaluation of the completion status of the project or activity;
 4. an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 5. for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.
 - d. Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

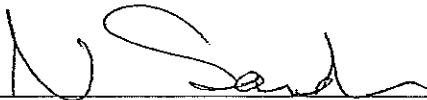
15. **ADDITIONAL REQUIREMENTS AND GUIDANCE:** The Applicant agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide) guidance and clarification of Recovery Act requirements.
16. **ADDITIONAL REPORTING REQUIREMENTS:** A 2008 amendment to the Transparency Act called the "Government Funding Transparency Act of 2008" (Public Law 110-252) added a requirement to collect compensation information on certain chief executive officers (CEOs) of the recipient and subrecipient entity. Accordingly, the Applicant understands that it may be required to report information under the Transparency Act, including, but not limited to:
- a. The name of the entity receiving the award;
 - b. The amount of the award;
 - c. The transaction type;
 - d. The funding agency;
 - e. The Catalog of Federal Domestic Assistance number;
 - f. The program source;
 - g. The location of the entity receiving the award, including four data elements for the city, State, Congressional district, and country;
 - h. The location of the primary place of performance under the award, including four data elements the city, State, Congressional district, and country;
 - i. A unique identifier of the entity receiving the award;
 - j. A unique identifier for the parent entity for the recipient, should the recipient be owned by another entity; and
 - k. The names and total compensation of the five most highly compensated officers of the company if it received: 1) 80% or more of its annual gross revenues in Federal awards; and 2) \$25M or more in annual gross revenue from Federal awards.

STATE OF MISSOURI/DEPARTMENT OF PUBLIC SAFETY SPECIAL CONDITIONS:

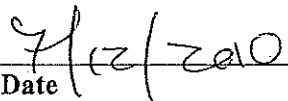
1. **WHISTLEBLOWER PROTECTION:** In accordance with ARRA, §1553, the Applicant assures that it shall fully comply with said section, including, but not limited to, assuring that its employees will not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the federal government or any representative thereof, the State of Missouri, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury any information that the employee reasonably believes is evidence of: 1) gross mismanagement of a contract or grant relating to ARRA; 2) a gross waste of ARRA funds; 3) a substantial and specific danger to public health or safety related to the implementation or use of ARRA funds; 4) an abuse of authority related to the implementation or use of ARRA funds; or 5) a violation of law, rule, or regulation related to this contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to ARRA funds. In accordance with ARRA, §1553(e), the Applicant assures that it shall post notice of the rights and remedies provided in ARRA, §1553.
2. **INSPECTION OF DOCUMENTS:** In accordance with ARRA, §§902, 1514 and 1515, the Applicant assures that it will cooperate with any representative of the State of Missouri, Comptroller General, or appropriate inspector general appointed under §3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.) in the examination of its records that pertain to, and involve transactions relating to this contract, and agrees that it and its personnel can be interviewed by said entities regarding this contract and related program.
3. **ADDITIONAL RESTRICTIONS:** In accordance with ARRA, §1554, the Applicant assures to the maximum extent possible that it will award contracts funded in whole or in part with ARRA funds as fixed-price contracts through the use of competitive procedures. It will also provide a summary to the State of Missouri, Department of Public Safety of any said contract awarded by the Applicant that is not fixed-price and not awarded using competitive procedures for posting in a special section of the website established in ARRA, §1526.

Failure to comply with any of the foregoing Special Conditions could result in funds being withheld until such time as the Applicant takes appropriate action to rectify the incident(s) of non-compliance. The Applicant hereby certifies, by signature, acceptance of the terms and conditions specified or incorporated by reference herein, including those stated in the contract application.

Applicant Acceptance of Special Conditions:



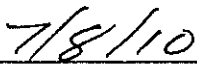
Authorized Official



Date



Project Director



Date