



HEALTH SERVICES DEPARTMENT

PUBLIC HEALTH DIVISION

Healthy People Living in Healthy Communities Throughout El Dorado County

Neda West, Director / Olivia C. Kasirye, MD, MS, Public Health Officer
931 Spring Street, Placerville, CA 95667 (530) 621-6156 / Fax (530) 626-4713

December 14, 2009

Ms. Angela Smith, Gang Violence Section
California Emergency Management Agency

Dear Ms. Smith:

The El Dorado County Health Services Department – Alcohol and Drug Program is pleased to have the opportunity to be considered for participation in the Request for Applications for the Recovery Act Justice Assistance Grant-Substance Abuse Offender Treatment Program. The deadline for submission of the application was too soon to allow for prior review of the application by the County's Board of Supervisors. As the Director of the Health Services Department, I have signed on behalf of the El Dorado County Board of Supervisors. The Health Services Department will agendaize this application at the Board of Supervisor's Meeting scheduled on or before January 19, 2010. The Health Services Department will request that the Board of Supervisors ratify my signature on our Request for Application. Until that time, our application cannot be considered binding or obligate the County to action.

Shirley White will contact you via email to advise you of the Board's approval and send written documentation verifying Board approval. Again, thank you for this opportunity to be considered for participation in the Recovery Act Justice Assistance Grant-Substance Abuse Offender Treatment Program.

Sincerely,

Neda West, Director
El Dorado County Health Services Department

ATTACHMENT D

ARNOLD SCHWARZENEGGER
GOVERNOR

MATTHEW R. BETTENHAUSEN
ACTING SECRETARY



3650 SCHRIEVER AVENUE
MATHER, CA 95655

PHONE (916) 324-9216
FAX (916) 323-1756

CALIFORNIA EMERGENCY MANAGEMENT AGENCY

Application Cover Sheet

RFA PROCESS

SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM

Submitted by:

Shirley White, Alcohol and Drug Programs Manager
On behalf of El Dorado County Health Services Department
On behalf of El Dorado County

931 Spring Street
Placerville, CA 95667

(530) 621-6146 phone
(530) 295-2596 fax
Shirley.white@edcgov.us

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
GRANT AWARD FACE SHEET (Cal EMA 2-101)**

The California Emergency Management Agency, hereafter designated Cal EMA, hereby makes a grant award of funds to the following:

1. **Grant Recipient:** El Dorado County
 hereafter designated Recipient, in the amount and for the purpose and duration set forth in this grant award.
2. **Implementing Agency:** El Dorado County Health Services Department, Public Health Division, Alcohol & Drug Programs
3. **Project Title:** El Dorado County JAG - OTP Drug Court 4. **Grant Period:** 09/01/09 to 03/31/11

*Select the Grant year and fund source(s) from the lists below or type the appropriate acronym in box 9. Enter the amount(s) from each source. Please do not enter both State and Federal fund sources on the same line. Add any cash match(s). Block 10G is the Grant Award total amount.

Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Project Cost
09/10	5. JAGR		\$290,151				\$0	
Select	6. Select						\$0	
Select	7. Select						\$0	
Select	8. Select						\$0	
Select	9.						\$0	
	10. TOTALS	\$0	\$290,151	\$290,151	\$0	\$0	\$0	10. Grand Total: \$290,151

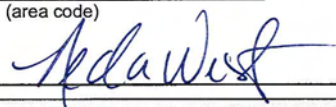
11. This grant award consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurance of Compliance forms which are being submitted. I hereby certify I am vested with the authority, and have the approval of the City/County Financial Officer, City Manager, County Administrator, or Governing Board Chair, to enter into this grant award agreement; and all funds received pursuant to this agreement will be spent exclusively on the purposes specified. The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statute(s), the Cal EMA Program Guidelines, the Cal EMA Recipient Handbook, the Federal OJP Financial Guide and Program Guidelines (if applicable), and the Cal EMA audit requirements, as stated in the applicable RFP or RFA. The grant recipient further agrees to all legal conditions and terms incorporated by reference in the applicable RFP or RFA, and agrees that the allocation of funds is contingent on the enactment of the State Budget.

12. **Official Authorized to Sign for Applicant/Grant Recipient:** **Federal Employer ID Number:** 94-6000511

Name: Neda West Title: Director of Health Services Department

Payment Mailing Address: EDC Treasurer Office 360 Fair Lane City: Placerville Zip: 95667

Telephone: (530) 621-6149 FAX: (530) 626-4713 Email: nwest@edcgov.us
(area code) (area code)

Signature:  Date: 12-14-09

[FOR CalEMA USE ONLY]

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

 CalEMA Fiscal Officer Date CalEMA Director (or designee) Date

PROJECT CONTACT INFORMATION

Applicant El Dorado County Grant Number _____ [FOR CalEMA USE ONLY]

Provide the name, title, address, telephone number, and e-mail address for the project contacts named below. **If a section does not apply to your project, enter "N/A."** **NOTE: If you use a PO Box address, a street address is also required for package delivery and site visit purposes.**

1. The **Project Director** for the project:

Name: Shirley White Address: 929 Spring Street
Title: Alcohol and Drug Program Administrator City: Placerville, CA Zip: 95667
Telephone #: (530) 621-6146 Fax #: (530) 295-2596
(Area Code) (Area code)
E-Mail Address: shirley.white@edcgov.us

2. The **Financial Officer** for the project:

Name: Gretchen Bailey Address: 941 Spring Street, Suite 3
Title: Finance Division Manager City: Placerville, CA Zip: 95667
Telephone #: (530) 621-6174 Fax #: (530) 642-8159
(Area Code) (Area code)
E-Mail Address: Gretchen.Bailey@edcgov.us

3. The **person** having **routine programmatic responsibility** for the project:

Name: Shirley White Address: 929 Spring Street
Title: Alcohol and Drug Programs Administrator City: Placerville, CA Zip: _____
Telephone #: (530) 621-6146 Fax #: (530) 295-2596
(Area Code) (Area code)
E-Mail Address: shirley.white@edcgov.us

4. The **person** having **routine fiscal responsibility** for the project:

Name: Cherie Mellor Address: 941 Spring Street Suite 4
Title: Department Analyst City: Placerville, CA Zip: 95667
Telephone #: (530) 621-6152 Fax #: (530) 642-8159
(Area Code) (Area code)
E-Mail Address: Cherie.Mellor@edcgov.us

5. The **Executive Director** of a nonprofit organization or the **Chief Executive Officer** (e.g., chief of police, superintendent of schools) of the implementing agency:

Name: Neda West Address: 931 Spring Street
Title: Director, Health Services Department City: Placerville, CA Zip: 95667
Telephone #: (530) 621-6149 Fax #: _____
(Area Code) (Area code)
E-Mail Address: Neda.West@edcgov.us

6. The **Chair** of the **governing body** of the recipient: (Provide contact information other than that of the recipient)

Name: Ron Briggs Address: 330 Fair Lane
Title: Chairperson, EDC Board of Supervisors City: Placerville, CA Zip: 95667
Telephone #: (530) 621-5390 Fax #: (530) 622-3645
(Area Code) (Area code)
E-Mail Address: bosfour@edcgov.us

SIGNATURE AUTHORIZATION

Grant Award #: _____

Grant Recipient: El Dorado County

Implementing Agency: El Dorado County Health Services Department, Alcohol and Drug Programs

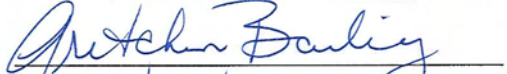
***The Project Director and Financial Officer are REQUIRED to sign this form.**

***Project Director:** Shirley White

Signature: 

Date: 12/10/09

***Financial Officer:** Gretchen Bailey

Signature: 

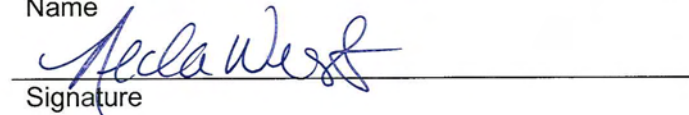
Date: 12/10/09

The following persons are authorized to sign for the
Project Director


Signature

Sharon Elliott, Assistant Director of Public Health

Name


Signature

Neda West, Director of Health Services Department

Name

Signature

Name

Signature

Name

Signature

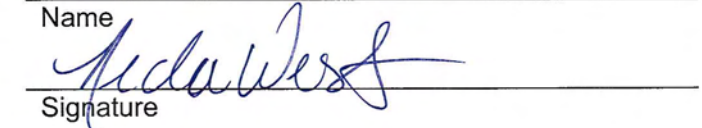
Name

The following persons are authorized to sign for the
Financial Officer


Signature

Sharon Elliott, Assistant Director of Public Health

Name


Signature

Neda West, Director of Health Services Department

Name

Signature

Name

Signature

Name

Signature

Name

CERTIFICATION OF ASSURANCE OF COMPLIANCE

The applicant must complete a Certification of Assurance of Compliance CalEMA 2-104 (formally OES 656), which includes details regarding Equal Employment Opportunity Program (EEO), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and Proof of Authority from City Council/Governing Board. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Award Agreement. In signing the Grant Award Face Sheet, the applicant formally notifies CalEMA that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. CalEMA has incorporated the resolution into the Certification of Assurance of Compliance, Section VI, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

CERTIFICATION OF ASSURANCE OF COMPLIANCE

I, Neda West, Director of the Health Services Department hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: El Dorado County

IMPLEMENTING AGENCY: El Dorado County Health Services Department, Alcohol and Drug Programs

PROJECT TITLE: El Dorado County JAG - OTP Drug Court

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by CalEMA including, but not limited to, the following areas:

I. Equal Employment Opportunity – (Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **CalEMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: Allyn Bulzomi

Title: Director of Human Resources

Address: 330 Fair Lane Bldg. A, Placerville, CA 95667

Phone: (530) 621-5565

Email: allyn.bulzomi@edcgov.us

II. Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all CalEMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

IV. Lobbying – (Recipient Handbook Section 2154)

CalEMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being 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 making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – (Recipient Handbook Section 2155)

(This applies to federally funded grants only.)

CalEMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of CalEMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and CalEMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from CalEMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

All appropriate documentation must be maintained on file by the project and available for CalEMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the CalEMA determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: Neda West

Authorized Official's Typed Name: Neda West

Authorized Official's Title: Director, Health Services Department

Date Executed: _____

Federal Employer ID #: 94-6000511 Federal DUNS # 158218037

Current Central Contractor Registration Yes No

Executed in the City/County of: El Dorado County, CA

AUTHORIZED BY: *(not applicable to State agencies)*

- City Financial Officer
- City Manager
- Governing Board Chair
- County Financial Officer
- County Manager

Signature: Neda West

Typed Name: Neda West

Title: Director, Health Services Department

FEDERAL GRANTS FUNDING LOG

List all federal grant funds awarded to the applicant during the current year. Include the fiscal year of operation, funding agency and the amount of funding. ** SEE NOTE BELOW

If your agency receives no federal grant funds check this box:

FISCAL YEAR	FUNDING AGENCY	GRANT AMOUNT
1	FFY 2010 STATE OF CA, ADP - NNA Contract SAPT FEDERAL BLOCK GRANT (Fed Cat#93.959)	\$938,670
2	FFY 2010 STATE OF CA, ADP PREVENTION - SAFE DRUG FREE SCHOOLS AND COMMUNITIES (SDFSC) GRANT - GOVERNOR'S PORTION	\$220,000
3	FFY 2010 US DEPT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS BUREAU OF JUSTICE ASSISTANCE	\$200,000
4		
5	** PLEASE NOTE: The Federal funding listed above only applies to El Dorado County, Health Services Department, Alcohol and Drug Programs,	
6	the implementing agency. However, both El Dorado Co. and El Dorado County Health Services Department receive other federal funding which is not listed.	
7		
8		
9		
10		
	Federal Grant Total:	\$1,358,670

Project Narrative

Problem Statement

In November of 2000, California voters passed Proposition 36, the Substance Abuse and Crime Prevention Act (SACPA). This proposition was designed to preserve jail and prison cells for serious and violent offenders; enhance public safety by reducing drug related crime; and improve public health by reducing drug abuse through proven and effective treatment strategies. Funding to support the treatment services to accomplish these outcomes has traditionally come from the state on an annual basis. When the Governor's 2009 budget was issued, all funding for SACPA was eliminated. This translates to a loss of \$454,160 for El Dorado County. With the elimination of SACPA funding, El Dorado County is unable to provide access to adequate levels of treatment for all eligible PC 1210 clients.

El Dorado County has approximately 200 eligible PC1210 clients per year. Elimination of SACPA funding has required our county to implement fee for service for outpatient substance abuse treatment for the PC 1210 population. The costs of these services are prohibitive for most clients who are in need of treatment and present a significant barrier to engaging clients into treatment. Clients are no longer able to access services in a timely manner due to waiting lists created by the reduction of treatment capacity due to countywide layoffs. The loss of SACPA funding has also resulted in a reduction of 2.5 Probation officers, 1.65 Health Services Alcohol and Drug Coordinator positions, and the elimination 3 FTE Certified Substance Abuse treatment staff at our outside treatment provider.

Elimination of key staff who conducted assessments and referrals to treatment has also negatively impacted clients' ability to enter treatment swiftly. These delays result in poor show rates and lower enrollment into treatment programs.

With minimal funding from other sources, El Dorado County has continued to employ a drug court model. Our Drug Court in Placerville decreased Drug Court proceedings from once per week to twice per month. Our Drug Court in South Lake Tahoe continues to meet on a monthly basis. We have minimal funding to provide limited residential treatment and transitional living services of 30 days maximum stay for 20 clients. This represents a reduction of 10 treatment slots. Outpatient services for PC 1210 clients are now 100% fee for service. Last year our outpatient enrollment for PC 1210 offenders was 154 clients. Currently there are only 25 PC 1210 offenders enrolled in outpatient treatment.

JAG-OTP funds will enable El Dorado County to continue our successful Drug Courts achieving social benefits and cost savings for our community and state as result of providing treatment versus incarceration. Local treatment providers will be able to re-hire valuable staff and eligible offenders will have access to adequate treatment services. Without the JAG-OTP funding we will see increased incarceration rates, increased medical expenses for clients whose substance abuse is left untreated, and increased placements into foster care for children who are affected by substance abusing parents.

Plan

Since 2002 El Dorado County Health Services Department Alcohol and Drug Programs (EDCADP) has been the lead agency in the team that conducts the planning, coordination and provision of the service delivery to meet the PC 1210 mandates. This vital

collaborative group includes El Dorado County Superior Court, Public Defender, District Attorney, Parole, Board of Prison Terms, and contracted treatment providers. The teams in Placerville and South Lake Tahoe have realized a great deal of success in meeting the core goals of OTP. In 2005 El Dorado County Superior Court, Placerville adopted a drug court model as a key strategy to meet the SACPA goals and serve PC1210 clients in an efficient and effective manner. In 2007, El Dorado County South Lake Tahoe adopted the Drug Court Model with our first Adult Felony Drug Court and now also serves PC 1210 offenders in a Drug Court model. All of El Dorado County's Drug Courts strive to follow the U.S. Department of Justice's Office of Justice Program's 10 key components of an effective drug court.

In El Dorado County from July 2002-July of 2005, 88% of the PC1210 clients referred for a substance abuse assessment received assessments. 33% of clients who entered treatment successfully completed treatment. After adopting the Drug Court Model, 96% of clients referred for substance abuse assessments received assessments and 49% successfully completed treatment. With the JAG-OTP funding, El Dorado County will be able to continue realizing successful results, serve clients who are eligible for treatment, and meet the core goals of Offender Treatment Program.

Goal 1:

The stated goals of the Substance Abuse Treatment for Offenders Program are to enhance treatment services, increase the proportion of offenders who enter, remain in and complete treatment by providing appropriate assessments, treatment matching, referral and supervision, reduce delays in the availability of appropriate services, and retain jobs in El Dorado County.

Objectives:

1. Provide assessment, treatment matching and referral to appropriate services as determined through clinical assessment to 150 offenders.
2. Develop treatment services that are needed but not available by funding an additional 15 Residential Treatment slots.
3. Increase in PC 1210 offender enrollment into treatment and develop services that are needed but not available by providing 125 Outpatient Treatment slots.
4. Provide intensive supervision of PC 1210 offenders to increase treatment admission rates, retention, and successful completion rates.
5. Retain 1 full time El Dorado County employee at the Health Education Coordinator position level.
6. Retain 2 full time substance abuse treatment staff.
7. Enhance assessment, treatment matching, and outcomes tracking by implementing the Risk and Needs Triage (RANT) assessment tool developed by Dr. Douglas Marlowe.

Activities

All eligible PC 1210 offenders will be referred to El Dorado County Health Services Alcohol and Drug Programs (EDCADP) for a comprehensive assessment, treatment matching, and referral to the appropriate level of treatment based on the RANT assessment tool. EDCADP staff will then send referral paperwork to the appropriate treatment provider authorizing the appropriate level of service funded by JAG-OTP funds. Treatment providers will then notify Probation/Parole in writing of any treatment admission or no show. Weekly case management meetings will be held with Probation Officers who have a dedicated PC 1210 caseload, substance abuse treatment providers and EDCADP coordinator to ensure client enrollment and treatment compliance. Any no show to treatment or non-compliance will be noted to the designated Probation Officer in writing upon the date of the non-compliance. Appropriate treatment and supervision interventions

will be discussed at the weekly case management meeting to ensure that consequences and/or intensification of services may occur quickly. Once the client successfully completes the prescribed treatment program, notification is provided to the Probation or Parole Department in writing.

Performance Measures

1. Asses all eligible PC 1210 Parolees and Probationers referred to treatment and place into appropriate level of treatment funded through JAG-OTP.
2. 15 PC 1210 offenders will receive residential treatment funded through JAG-OTP.
3. 125 PC 1210 offenders will receive outpatient treatment funded through JAG-OTP funds.
4. RANT assessment tool will be implemented and used for clinical assessments of PC 1210 offenders and used for outcomes tracking.
5. All PC 1210 offenders will receive intense criminal justice supervision.

Outcome Measures:

1. 95% of PC 1210 clients referred for assessment will receive assessment services.
2. 95% of PC 1210 Offenders assessed as appropriate for treatment will be admitted into treatment within one week of their assessment.
3. 125 PC 1210 offenders will participate in Outpatient Treatment as indicated by assessment, drug test results, and treatment compliance reviews with a successful completion rate of 49%.
 - Level I Low Intensity Outpatient Treatment includes one group per week for a minimum of 3 months, random drug testing, and 3 individual counseling sessions.
 - Level II High Intensity Outpatient Treatment includes two groups per week for a minimum of 6 months, random drug testing, and 1 to 2 counseling sessions as indicated.
4. 49% of PC 1210 clients who enter substance abuse treatment will successfully complete their treatment episode.
5. Drug Court Proceedings in Placerville will increase in frequency by 50%.

Implementation:

Operational Description

El Dorado County Health Services Department, Alcohol and Drug Programs Administrator, will oversee the JAG-OTP project. Assessment and treatment matching services will be provided by El Dorado County Alcohol and Drug Programs staff. Supervision services will be provided by the Probation Department through a Memorandum of Understanding. Treatment Services will be provided by contracted community based providers and El Dorado County Alcohol and Drug Programs staff who are state ADP-certified. Organizational chart for the Health Services Department and our Memorandum of Understanding with Probation are provided as attachments.

Funded Positions

- 1.0 FTE Recipient County
- 2.0 FTE Community Based Treatment Providers

Non-Funded Positions

- 2.0 FTE Probation (These officers are currently funded through a different 3 year Byrne-JAG grant to serve the PC 1210 population)
- 0.05 Alcohol and Drug Programs Administrator
- 0.05 Department Analyst

Budget Narrative

El Dorado County Health Services Department, Alcohol and Drug Programs will utilize the existing Prop 36/OTP collaborative team to meet the project's goals and objectives and provide for the program activities. This will include a mixture of program staff dedicated to the project, contractual services for residential and outpatient substance abuse treatment, purchase of computer equipment, and the purchase of a new software assessment tool.

A. Salaries and Benefits

EDC Alcohol and Drug Programs proposes to hire two (0.50 FTE) Health Education Coordinators as extra help positions. One position will be located in our Placerville main office, and one position will be located in our South Lake Tahoe office. Each HEC will have specific job duties as specified in the project-specific job description that correspond to the goal and objectives to the project. Typical job duties will include but are not limited to assessments, referral and placement into treatment, case management, providing outpatient services, project coordination, tracking of project activities, data collection and reporting.

The minimum qualifications for an Health Education Coordinator are the successful graduation from an accredited four year college or university with a Bachelor's degree in health, education, social services, or a closely related field AND two years of administering and coordinating health or social service delivery programs. A master's degree in health, education, social services, or a closely related field may be substituted for one year of the required work experience. Positions assigned to the Alcohol and Drug Program Division may require a certification/license as a substance abuse counselor, depending upon program assignment. Certifying agencies must be accredited by the National Commission for Certifying Agencies.

Certifying agencies include: California Association for Alcohol and Drug Educators (CAADE), California Association of Alcoholism and Drug Abuse Counselors (CAADAC), California Association of Addiction Recovery Resources (CAARR), California Association of Drinking Driver Treatment Programs (CADDTP), California Certification Board of Chemical Dependency Counselors (CCBCDC), Forensics Addictions Corrections Treatment (FACT), Indian Alcoholism Commission of California, Inc., Breining Institute, Association of Christian Alcohol & Drug Counselors, and American Academy of Health Care Providers.

Since EDC Alcohol and Drug Programs propose extra-help positions, benefit costs are minimal. Employer Medi-Care is calculated as estimation at 1.45% times Salary + Tahoe Diff + Bilingual Pay (minus pretax health insurance). Employer Unemployment Insurance is calculated as estimation at 2.75% times Salary + Tahoe Diff + Bilingual Pay on maximum of \$7,000 in wages. Tahoe Differential is calculated as estimated at \$2,400 annually for full-time Employees (this is based on \$92.30 bi-weekly). Employees whose normal work schedule is 21-40 hrs per week shall receive the full amount. Employees with 20 hours or less in a week shall receive half of this amount. Retiree Health benefits and worker's compensation benefits are calculated on a proration of actual time charged to the JAG-OTP Program.

B. Service and Supplies (Operational costs)

Telephone Service & Equipment charges (subobject (so) codes 4041/5301) – Costs for phone lines to be installed and utilized by the two extra-help positions. Costs include monthly equipment charges and monthly usage charges.

Insurance Premium (so code 4100) – Costs for Liability Insurance. Information provided by County Risk Management by department. The cost allocation spread is based upon actual salaries and benefits charged to the JAG-OTP Program.

Treatment Providers/Operational Agreement (so code 4324) – Grant funds will be utilized to support State ADP licensed and/or certified contracted Not for Profit Organizations (NPO) providing residential and outpatient treatment services.

Computers (so code 4462) – Grant funds will be utilized to purchase two (2) new laptop computes for the HEC's to perform ADP Assessments at various locations (Probation, treatment providers, or other partnering agencies).

Educational Materials (so code 4502) – Books and reading materials purchased for handing out supplemental information to the clients. These educational materials directly support the client's needs to be successful in JAG – OTP program. Examples of purchases would be (but not limited to): serenity stones, serenity circles, The Big Book, Keep it Simple, Gifts of Sobriety, or any other educational books that enhance and affirm the lessons taught during the treatment phases of the JAG – OTP Program.

Staff Travel and Training (so codes 4503/4600) – The Grant requires for a Cal-EMA sponsored training seminar. Grants funds will cover the costs incurred for the training. Costs will include Hotel (State of CA per-diem rate plus tax), parking costs, and meals reimbursement (State of CA per-diem rate).

Software Licensing (so code 4529) – Costs will cover Microsoft Enterprise Agreement (MSEA) software licensing for 2 extra help positions working on the project.

Employee Mileage Reimbursement (so code 4602) – Grant funds will be utilized to reimburse employees for their mileage used in their private vehicles for business purposes.

Reimbursement is based upon the Federal reimbursement rate and the rate allowable by the grant.

Rent/Lease County Owned Vehicle (so code 4605) – Grant funds will be utilized for the cost allocation of vehicle costs. These costs are allocated by the county developed rate based upon actual mileage used for JAG-OTP program activity.

Fuel Costs County Owned Vehicle (so code 4606) – Grant funds will be utilized for the actual fuel costs to use a county owned vehicle for JAG-OTP program activity.

Mail/Stores Costs (so codes 5304/5305) – Grant funds will cover the cost allocation for inter-office mail and central stores support. These costs are prorated based upon actual JAG-OTP program activity.

I.T. Network/Mainframe Support Costs (so codes 5308/5320) – Grant funds will cover the cost allocation for IT Network Support and IT Mainframe Support. These costs are prorated based upon actual JAG-OTP program activity.

Administrative Overhead – (so code 5300/7254) – Provides for the offset of county and departmental overhead primarily associated with the services from the Administration/Fiscal staff in the Department of Health Services. That staff is responsible for the budget, and actual costs associated with the operation of the program. They are also responsible for the payment of all program costs and reporting requirements of such costs to the program. This also supports the OMB A-87 costs provided by the Auditor/Controllers office. An Indirect Cost rate Plan (ICRP) has been prepared and is on file.

C. Equipment

Software (so code 4262) – Grant funds will be utilized to purchase a new software program for the assessment tool. The new system RANT™ is a highly secure ASP.NET application using an MS SQL Server. All transmissions are industry-standard encrypted using 128 bit SSL. The user-interface consists of simple-to-read input screens that represent each item one at a time, with the results presented in an HTML output that can be printed and saved as a PDF document. Each item is accompanied by a help menu that clearly describes the intent and rationale for the item and specific instructions for interviewers.

The Basic Package is locally hosted and supported on a program, agency or state server. This package offers a customized instrument, system installation and manual configuration, a limited menu of automated reports, and training for assessors and IT personnel. System requirements include:

- Microsoft Internet Information Services 6 or above.
- Microsoft SQL 2000 or SQL 2005 Server.
- AbcPdf.ASP by Websupergoo.
- SSL certificate for the IIS server.

The Basic installation package includes a setup.exe program to install the ASP.Net application and AbcPdf components to the IIS server, and an SQL script to build the SQL database. The purchase will also include an additional 1 yr. maintenance agreement for services and upgrades.

BUDGET CATEGORY AND LINE ITEM DETAIL

A. Personal Services – Salaries/Employee Benefits	COST
EL DORADO COUNTY JAG-OTP DRUG COURT	
1 (0.50 FTE) HEALTH EDUCATION COORDINATOR - EXTRA HELP WEST SLOPE (includes base salary, employer medi-care, employer unemployment ins., retiree health costs, and workman's compensation costs)	\$36,000
1 (0.50 FTE) HEALTH EDUCATION COORDINATOR - EXTRA HELP TAHOE BASIN (includes base salary, employer medi-care, employer unemployment ins., tahoe differential retiree health costs, and workman's compensation costs)	\$38,000
TOTAL	\$74,000

BUDGET CATEGORY AND LINE ITEM DETAIL

B. Operating Expenses	COST
EL DORADO COUNTY JAG-OTP DRUG COURT	
Telephone Pass Thru - Monthly Usage charges (so 4041)	\$200
Telephone Charges - Installation & Equipment (so 5301)	\$600
Liability Insurance Premium - Prorated based upon Actual S&B (so 4100)	\$2,200
Treatment Providers/Operational agreement (so 4324) (Includes Residential & Outpatient Services)	\$176,000
COMPUTERS (so 4462) 2 laptop computers	\$3,600
Educational Materials - (so 4502) Books & Reading Materials to be purchased and handed out to clients	\$750
STAFF TRAVEL/TRAINING (MANDATED CAL EMA TRAINING) (so 4503/4600) (Includes Hotel, parking & meals for 2 people)	\$400
Software Licensing (so 4529)	\$360
Private Auto Mileage Reimbursement (so 4602)	\$800
Rent/Lease County Vehicle (so 4605)	\$250
Fuel Costs for Rent/Lease County Vehicle (so 4606)	\$140
Mail/Stores Costs (so 5304/5305)	\$150
IT Network/Mainframe Costs (so 5308/5320)	\$2,600
Administration Overhead - Indirect Cost Method (so 5300/7254) 5% of total project costs less equipment costs per grant allowance	\$13,101
TOTAL	\$201,151

BUDGET CATEGORY AND LINE ITEM DETAIL

C. Equipment	COST
EL DORADO COUNTY JAG-OTP DRUG COURT Software - RANT Assessment tool software program package includes 1 yr. service maintenance agreement and upgrades	\$15,000
TOTAL	\$15,000.00
74000 201150.5 \$15,000.00	
Total Project Cost*	\$290,151
<i>*Same as Block 10G on the Grant Award Face Sheet</i>	

PROJECT SUMMARY

1. GRANT AWARD NO.

3. GRANT PERIOD

2. PROJECT TITLE EL DORADO COUNTY JAG - OTP DRUG COURT

09/01/09 to 03/31/2011

4. APPLICANT

Name: El Dorado County Phone: (530) 621-6149
Address: 360 Fair Lane Fax #: (530) 626-4713
City: Placerville, CA Zip: 95667

5. GRANT AMOUNT

(this is the same amount as 10G of the Grant Award Face Sheet)
\$ 290,151

6. IMPLEMENTING AGENCY

Name: El Dorado County Health Services Department Phone: (530) 621-6146 Fax #: (530) 295-2596
Address: 931 SPRING STREET City: PLACERVILLE Zip: 95667

7. PROGRAM DESCRIPTION

Recovery Act Justice Assistance Grant - Substance Abuse Offender Treatment Program (JAG-OTP) funds will be used to support staffing costs for 2 (.50 FTE) extra-help positions to perform assessments, placements, and referrals into the treatment delivery system for all eligible PC 1210 clients in El Dorado County. JAG-OTP funds will also be used for implementation of a new assessment tool to provide enhancement of the treatment delivery system in conjunction of the Collaboration team to match the treatment needs of all eligible PC 1210 clients in El Dorado County. JAG-OTP funds will also be used to provide outpatient treatment services.

8. PROBLEM STATEMENT

In November of 2000, California voters passed Proposition 36, the Substance Abuse and Crime Prevention Act (SACPA). This proposition was designed to preserve jail and prison cells for serious and violent offenders; enhance public safety by reducing drug related crime; and improve public health by reducing drug abuse through proven and effective treatment strategies. Funding to support the treatment services to accomplish these outcomes has traditionally come from the state on an annual basis. When the Governor's 2009 budget was issued, all funding for SACPA was eliminated. This translates to a loss of \$454,160 for El Dorado County. With the elimination of SACPA funding, El Dorado County is unable to provide access to adequate levels of treatment for all eligible PC 1210 clients.

9. OBJECTIVES

Provide assessment, treatment matching and referral to appropriate services as determined through clinical assessment to 150 offenders. Develop treatment services that are needed but not available by funding an additional 15 Residential Treatment slots. Increase in PC 1210 offender enrollment into treatment and develop services that are needed but not available by providing 125 Outpatient Treatment slots. Provide intensive supervision of PC 1210 offenders to increase treatment admission rates, retention, and successful completion rates. Retain 1 full time El Dorado County employee at the Health Education Coordinator position level. Retain 2 full time substance abuse treatment staff. Enhance assessment, treatment matching, and outcomes tracking by implementing the Risk and Needs Triage (RANT) assessment tool developed by Dr. Douglas Marlowe.

10. ACTIVITIES

All eligible PC 1210 offenders will be referred to El Dorado County Health Services Alcohol and Drug Programs (EDCADP) for a comprehensive assessment, treatment matching, and referral to the appropriate level of treatment based on the RANT assessment tool. EDCADP staff will then send referral paperwork to the appropriate treatment provider authorizing the appropriate level of service funded by JAG-OTP funds. Treatment providers will then notify Probation/Parole in writing of any treatment admission or no show. Weekly case management meetings will be held with Probation Officers who have a dedicated PC 1210 case load, substance abuse treatment providers and EDCADP coordinator to ensure client enrollment and treatment compliance. Any no show to treatment or non-compliance will be noted to the designated Probation Officer in writing upon the date of the non-compliance. Appropriate treatment and supervision interventions will be discussed at the weekly case management meetings. Probation is notified when offender completes treatment plan.

11. EVALUATION (if applicable)

Evaluation of reports through multiple tracking systems such as DATAR, CalOMS, and County databases for Client demographic, treatment modality, Client show rates, admittance and discharge data, non-compliance rate, success rate of completion will also be tracked.

12. NUMBER OF CLIENTS

(if applicable)

150

13. PROJECT BUDGET

(these are the same amounts as on Budget Pages)

	Personal Services	Operating Expenses	Equipment	TOTAL
	\$74,000	\$201,151	\$15,000	\$290,151
				\$0
				\$0
				\$0
				\$0
				\$0
Totals:	\$74,000	\$201,151	\$15,000	\$290,151

Operational Agreements (OA) Summary Form

	List of Agencies/Organizations/Individuals	Date OA Signed (xx/xx/xxxx)	Dates of OA	
			From:	To:
1.	MOU - El Dorado County Probation Department		09/01/09	to 03/31/2011
2.	Progress House, Inc - for Treatment Services		09/01/09	to 03/31/2011
3.				to
4.				to
5.				to
6.				to
7.				to
8.				to
9.				to
10.				to
11.				to
12.				to
13.				to
14.				to
15.				to
16.				to
17.				to
18.				to
19.				to
20.				to

Use additional pages if necessary.

MEMORANDUM OF UNDERSTANDING #833-PHD0309
AMENDMENT I

This Amendment I to that Memorandum of Understanding ("MOU") #833-PHD0309, made and entered into by and between the County of El Dorado Health Services Department – Public Health Division, a political subdivision of the State of California (hereinafter referred to as "PHD") and the County of El Dorado Probation Department; (hereinafter referred to as "Probation");

RECITALS

WHEREAS, PHD and Probation are departments of the County of El Dorado and are both overseen by the El Dorado County Board of Supervisors; and

WHEREAS, PHD is the Lead Agency that holds responsibility for El Dorado County's implementation and ongoing oversight of the Substance Abuse and Crime Prevention Act of 2000 ("SACPA"), which resulted from California voters' passage of Proposition 36 on November 7, 2000, and which operates as the Proposition 36 Program ("Program"); and

WHEREAS, Probation has agreed to perform drug testing of probationers who are subject to the Program, in accordance with MOU #833-PHD0309, dated July 23, 2009, incorporated herein and made by reference a part hereof; and

WHEREAS, the State Department of Alcohol and Drug Programs ("SDADP"), through the Substance Abuse Treatment and Testing Accountability Act ("SATTA"), provides funds for drug testing clients who participate in the Program; and

WHEREAS, PHD has received notice from SDADP that additional SATTA funds are available to the County, and PHD has determined these additional funds shall be most appropriately applied toward the services provided by Probation pursuant to MOU #833-PHD0309; and

WHEREAS, the parties do hereby agree that *Article III – Compensation* for services shall be amended;

NOW THEREFORE the parties do hereby agree that MOU #833-PHD0309 shall be amended a first time as follows:

833-PHD0309

I. Article III shall be amended in its entirety to read as follows:

Article III. Compensation for Services:

Section 3.01 For services provided herein, PHD agrees to pay Probation as follows:


SATTA Drug Testing Funds

FY 2008-09 Funds (available July 1, 2009 – June 30, 2010)	\$3,000.00
FY 2009-10 Funds (available October 1, 2009 – June 30, 2010)	27,000.00
Total SATTA Funds	<u>\$30,000.00</u>
<i>Total not-to-exceed Amount of this Agreement</i>	<u>\$30,000.00</u>

Except as herein amended, all other parts and sections of that MOU #833-PHD0309 shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this first Amendment to that Memorandum of Understanding #833-PHD0309 on the dates indicated below, the latest of which shall be deemed to be the effective date of this Amendment.

HEALTH SERVICES DEPARTMENT

By:  Dated: 11/22/09
Neda West, Director

PROBATION DEPARTMENT

By:  Dated: 12-1-09
Joseph S. Warchol, II, Chief Probation Officer

MEMORANDUM OF UNDERSTANDING
833-PHD0309

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) made and entered into by and between the County of El Dorado Health Services Department – Public Health Division (hereinafter referred to as “PHD”) and the County of El Dorado Probation Department (hereinafter referred to as “Probation”);

RECITALS

WHEREAS, PHD and Probation are departments of the County of El Dorado and are both overseen by the El Dorado County Board of Supervisors; and

WHEREAS, PHD is the Lead Agency that holds responsibility for El Dorado County’s implementation and ongoing oversight of the Substance Abuse and Crime Prevention Act of 2000 (SACPA), which resulted from California voters’ passage of Proposition 36 on November 7, 2000, and which operates as the Proposition 36 Program (“Prop 36 Program”); and

WHEREAS, the State Department of Alcohol and Drug Programs, through the Substance Abuse Treatment and Testing Accountability Act (SATTA), provides funds for drug testing clients who participate in the Prop 36 Program; and

WHEREAS, Probation has agreed to perform drug testing of probationers who are subject to the Program;

NOW, THEREFORE, the parties hereto mutually agree as follows:

Article I. Scope of Services:**Section 1.01 Probation agrees to:**

- (a) Collect and report, as requested by PHD and as needed to comply with SATTA requirements, statistical data related to the Prop 36 Program for use in the preparation of reports. PHD will attempt to limit requested data to that which is readily available and/or easily accessed; however, it is agreed that Probation is an integral partner with PHD in providing data required by the State.
- (b) Maintain confidentiality of information pertaining to Prop 36 Program participants, pursuant to applicable law (Title 42, Code of Federal Regulations, Part 2).
- (c) Adhere to all requirements detailed in Title 9, California Code of Regulations, regarding the Prop 36 Program.
- (d) Perform the following Prop 36 Program operation activities:
 - (i) Perform either random or regularly scheduled drug testing on all Prop 36 Program participants (using SATTA funds). *Note: Drug testing shall not be used as a basis for imposition of new criminal charges, and a single positive drug test will not be the sole basis for declaring a client to be unamenable to treatment or revoking probation pursuant to Penal Code 1210.1(e)(3)(c).*

Section 1.02 PHD agrees to act as the fiscal agent for management and distribution of SATTA funding.

Article II. Term: This Agreement shall become effective July 1, 2009 and shall expire June 30, 2010 unless earlier terminated pursuant to the provisions under Section 4.02 herein.

Article III. Compensation for Services:

Section 3.01 For services provided herein, PHD agrees to pay Probation as follows:

SATTA Drug Testing Funds

FY 2008-09 Funds (available July 1, 2009 – June 30, 2010)	\$3,000.00
FY 2009-10 Funds (available October 1, 2009 – June 30, 2010)	7,000.00
Total SATTA Funds	\$10,000.00
Total not-to-exceed Amount of this Agreement	\$10,000.00

Section 3.02 All such claims shall be submitted to the Health Services Department – Public Health Division, Alcohol & Drug Program Manager, 415 Placerville Drive, Suite R, Placerville, CA 95667 and shall reference this MOU (#833-PHD0309).

Article IV. General Provisions:

Section 4.01 This MOU may be amended to reflect any reduction in State funding for the Prop 36 Program. Notice to Probation regarding a reduction in funding will be given within ten (10) days of PHD receiving notice from the California Department of Alcohol and Drug Programs regarding a reduction.

Section 4.02 Either party may terminate this MOU upon ninety (90) days written notice to the other.

Section 4.03 It is agreed that the parties shall be subject to examination and audit of any records associated with the provision of services, claims to obtain funding, and payment records documenting use of funds for a period of five (5) years after final payment under this MOU. The examination and audit shall be confined to matters connected with the performance of this MOU, and may be performed by any County, State, or federal agency having oversight responsibility for the Prop 36 Program.

Article V. Changes to Agreement: This Agreement may be amended by mutual consent of the parties hereto. Said amendments shall become effective only when in writing and fully executed by duly authorized officers of the parties hereto.

Article VI. HIPAA: Under this Agreement, Probation will provide services to PHD and in conjunction with the provision of such services, certain Protected Health Information (“PHI”) may be made available to Probation for the purpose of carrying out its obligations. Probation, as a “covered entity,” agrees to comply with all the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the regulations promulgated thereunder.

Article VII. Notice to Parties: All notices to be given by the parties hereto shall be in writing and served by depositing same in the United States Post Office, postage prepaid and return receipt requested. Notices to PHD shall be addressed as follows:

COUNTY OF EL DORADO
HEALTH SERVICES DEPARTMENT
931 SPRING STREET
PLACERVILLE, CA 95667
ATTN: NEDA WEST, DIRECTOR

or to such other location as PHD directs.

Notices to Probation shall be addressed as follows:

EL DORADO COUNTY PROBATION DEPARTMENT
3974 DUROCK ROAD, SUITE 205
SHINGLE SPRINGS, CA 95682
ATTN: JOSEPH S. WARCHOL, II, CHIEF PROBATION OFFICER

or to such other location as the Probation directs.

Article VIII. Administrator: The El Dorado County Health Services Department Officer or employee with responsibility for administering this Agreement is Shirley White, Alcohol and Drug Program Manager, or successor. The El Dorado County Probation Department Officer or employee with responsibility for administering this Agreement is Joseph S. Warchol, II, Chief Probation Officer, or successor.

Article IX. Entire Agreement: This document and the documents referred to herein or exhibits hereto are the entire Agreement between the parties and they incorporate or supersede all prior written or oral Agreements or understandings.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates indicated below, the latest of which shall be deemed to be the effective date of this Agreement.

PROBATION DEPARTMENT

By: Joseph S. Warchol
Joseph S. Warchol, II, Chief Probation Officer

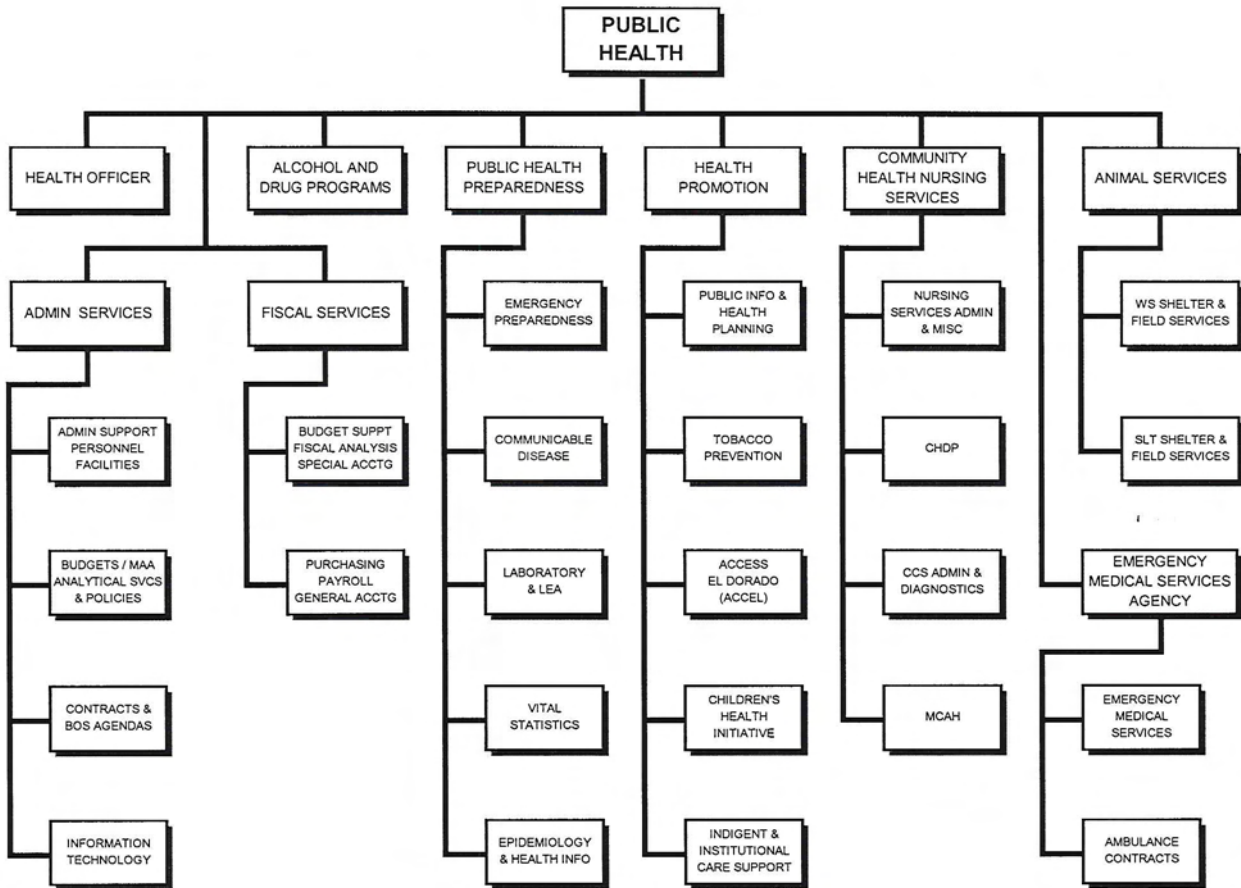
Dated: 7-23-09

HEALTH SERVICES DEPARTMENT – PUBLIC HEALTH DIVISION:

By: Neda West
Neda West, Director

Dated: 7-21-09

HEALTH (40)



NONCOMPETITIVE BID REQUEST CHECKLIST

Has the applicant/recipient met the following requirements of the *Recipient Handbook*:

	Check appropriate box:	<u>Yes</u>	<u>No</u>
<u>Section 3511</u>			
Do conditions exist that require a sole/single-source contract?		<input type="radio"/>	<input type="radio"/>
<u>Section 3521.1</u>			
Is a brief description of the program or project included?		<input type="radio"/>	<input type="radio"/>
<u>Section 3521.2</u>			
Was it necessary to contract noncompetitively?		<input type="radio"/>	<input type="radio"/>
Did the contractor submit his/her qualifications?		<input type="radio"/>	<input type="radio"/>
Is the reasonableness of the cost justified?		<input type="radio"/>	<input type="radio"/>
Were cost comparisons made with differences noted for similar services?		<input type="radio"/>	<input type="radio"/>
Is a justification provided regarding the need for contract?		<input type="radio"/>	<input type="radio"/>
<u>Section 3521.3</u>			
Is an explanation provided for the uniqueness of the contract?		<input type="radio"/>	<input type="radio"/>
<u>Section 3521.4</u>			
Are there time constraints impacting the project?		<input type="radio"/>	<input type="radio"/>
Were comparisons made to identify the time required for another contractor to reach the same level of competence?		<input type="radio"/>	<input type="radio"/>

PROJECT SERVICE AREA INFORMATION

1. COUNTY OR COUNTIES SERVED: Enter the name(s) of the county or counties served by the project. Put an asterisk where the project's principal office is located.

*PLACERVILLE, CA, EL DORADO COUNTY
SOUTH LAKE TAHOE, CA, EL DORADO COUNTY

2. U.S. CONGRESSIONAL DISTRICT(S): Enter the number(s) of the U.S. Congressional District(s) which the project serves. Put an asterisk for the district where the project's principal office is located.

4TH DISTRICT OF CA, US REP. TOM MC CLINTOCK

3. STATE ASSEMBLY DISTRICT(S): Enter the number(s) of the State Assembly District(s) which the project serves. Put an asterisk for the district where the project's principal office is located.

CA 4TH DISTRICT, STATE ASSEMBLYMAN TED GAINES

4. STATE SENATE DISTRICT(S): Enter the number(s) of the State Senate District(s) that the project serves. Put an asterisk for the district where the project's principal office is located.

CA 1ST DISTRICT, STATE SENATOR, DAVE COX

5. POPULATION OF SERVICE AREA: Enter the total population of the area served by the project.

TOTAL POPULATION IS 175,382 - ACS DEMOGRAPHIC ESTIMATE

RECOVERY JAG - SPECIAL CONDITIONS CERTIFICATION

INSTRUCTIONS

1. Carefully read the Special Conditions – this document will become part of your signed Grant Award Agreement.
2. The official authorized to enter into the Grant Award Agreement must initial the bottom corner of each page (pages 1 through 4) and sign the bottom of the last page (page 5), acknowledging that the grant recipient will adhere to the Special Conditions and reporting requirements associated with the federal Recovery Act as well as the Recovery JAG Program.

The original initials and signature of the authorized official must be in blue ink.

RECOVERY JAG - SPECIAL CONDITIONS CERTIFICATION

GRANT AWARD # _____

By entering into Grant Award Agreement with Cal EMA, the Recipient acknowledges that awards made under the Recovery Act will be *one-time awards* and accordingly that its proposed project activities and deliverables are to be accomplished without additional Cal EMA funding.

The Recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Recipient Handbook, the Request for Application (RFA) or Request for Proposal (RFP), and any program guidelines developed by Cal EMA.

The Recipient further agrees to adhere to and comply with the following Special Conditions placed on Cal EMA's Recovery JAG award with the Bureau of Justice Assistance:

1. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
2. The recipient 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 prior written approval of OJP.
3. JAG NEPA - The recipient 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, either directly by the grantee or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the recipient agrees to contact BJA.

The grantee understands that 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 is being conducted by the grantee, a subrecipient, 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 a 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;
- 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; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html> , for programs relating to methamphetamine laboratory operations.

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

- 4. JAG data collection - The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by law and detailed by the BJA in program guidance for the Justice Assistance Grant (JAG) Program.
- 5. Access to Records; Interviews - The recipient understands and agrees that DOJ (including OJP and the Office of the Inspector General (OIG)), 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, including such records of any subrecipient, contractor, or subcontractor.

The recipient also understands and agrees that DOJ and the GAO are authorized to interview any officer or employee of the recipient (or of any subrecipient, contractor, or subcontractor) regarding transactions related to this Recovery Act award.

- 6. Separate Tracking and Reporting of Recovery Act Funds and Outcomes - The recipient 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 recipient and all subrecipients must ensure that funds from this Recovery Act award are not commingled with funds from any other source.

The recipient further agrees that all personnel (including subrecipient 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.

7. Reporting and Registration Requirements under Section 1512 of the Recovery Act

- (a) This award requires the recipient to complete projects or activities which are funded under the Recovery Act and to report on use of 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 ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act.
- (c) Recipients and their first-tier recipients must maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded 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. Provisions of Section 1512(c) - The recipient understands that section 1512(c) of the Recovery Act provides as follows:

Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains—

- (1) the total amount of recovery funds received from that agency;
- (2) the amount of recovery funds received that were expended or obligated to projects or activities; and
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including—
 - (A) the name of the project or activity;
 - (B) a description of the project or activity;
 - (C) an evaluation of the completion status of the project or activity;
 - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - (E) 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.

(4) 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.

9. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct - The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person 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. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by –

mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

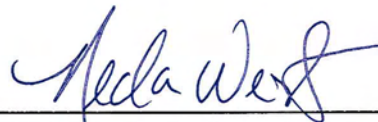
Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

10. Protecting State and Local Government and Contractor Whistleblowers (Recovery Act, section 1553) - The recipient 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. The text of Recovery Act is available at www.ojp.usdoj.gov/recovery.
11. Limit on Funds (Recovery Act, section 1604) - The recipient 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.
12. Misuse of award funds - The recipient 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.

13. Additional Requirements and Guidance - The recipient agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide) guidance and clarifications of Recovery Act requirements.

14. Delinquent section 1512(c) reports - The recipient acknowledges that it has certified that it will comply with all reporting requirements under section 1512(c) of the Recovery Act. (An online reporting mechanism is anticipated to be available for award recipient use by October 10, 2009.) Further to this certification, a failure to comply with the section 1512(c) reporting requirements may, in addition to other penalties, subject the recipient to the following:

- (1) After failure to report section 1512(c) data for two consecutive reporting periods, the recipient may be— (a) precluded from drawing down funds under any OJP award, and/or (b) deemed ineligible for future discretionary OJP awards, until such time as the recipient becomes current in its section 1512(c) reporting obligations; and
- (2) After failure to report section 1512(c) data for three consecutive reporting periods, the recipient, upon written demand of the Director of BJA, shall return to OJP any unexpended award funds (including any unexpended interest earned on award funds) within 15 calendar days of the date of the demand notice. Thereafter, the recipient's award shall be converted to a cost-reimbursable grant until such time as the recipient becomes current in its section 1512(c) reporting obligations, and remains current for not less than two additional consecutive reporting periods.



Official Authorized to enter into Grant Award Agreement