




Interoffice Memorandum

AGENDA ITEM

November 21, 2019

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Yolanda Martinez, EdPhD., PhD., Director 
Health Services Department

FROM: Thomas V. Hall, PhD., Director
Office for a Drug Free Community Division

SUBJECT: Orange County Sheriff's Office Amended Subrecipient Agreement –
US Department of Justice, Edward Byrne Memorial Justice
Assistance Grant 2016-DJ-BX-0153
Consent Agenda – December 3, 2019

The US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance awarded Orange County, as governing body, the FY16 Edward Byrne Memorial Justice Assistance Grant 2016-DJ-BX-0153. The Orange County Sheriff's Office subrecipient agreement was approved by the Board on July 18, 2019. Orange County staff submitted a grant extension on behalf of the Sheriff's Office to extend the grant period to allow additional time to encumber and expend the approved funding. In addition, \$90,000 in unencumbered grant funding was reallocated to the Orange County Sheriff's Office to purchase additional public safety radios for deputies. The grant period will end on January 30, 2020.

ACTION REQUESTED: Approval and execution of the Extension Agreement between Orange County, Florida and the Orange County Sheriff's Office regarding the Subrecipient Agreement related to the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Award 2016-DJ-BX-0153 and authorization for the Mayor or designee to execute an agreement with the Orange County Sheriff's Office that is substantially consistent with the approved extension and amendment terms. **(Office for a Drug Free Community)**

Attachments

Cc: Danny Banks, Deputy County Administrator, County Administrator's Office

EXTENSION AGREEMENT

between

ORANGE COUNTY, FLORIDA

and

THE ORANGE COUNTY SHERIFF'S OFFICE

regarding

**THE SUBRECIPIENT AGREEMENT RELATED TO THE
US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF
JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE
GRANT AWARD 2016-DJ-BX-0153**

THIS EXTENSION AGREEMENT (“**Extension Agreement**”) is by and between **ORANGE COUNTY, FLORIDA**, on behalf of its Health Services Division (the “**County**”), a charter county and political subdivision of the State of Florida, located at 201 South Rosalind Avenue, Orlando, Florida, 32801, and John W. Mina on behalf of the **ORANGE COUNTY SHERIFF'S OFFICE** (the “**Subrecipient**”), a Florida constitutional officer, located at 2500 West Colonial Drive, Orlando, Florida, 32804. The County and the Subrecipient may be referred to herein individually as “party” or collectively as “parties.”

RECITALS

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (the “**Federal Awarding Agency**”) issued award 2016-DJ-BX-0153 (the “**Federal Award**”) to the County for the purposes to support a broad range of activities to prevent and control crime based on local needs and conditions; and

WHEREAS, on June 18, 2019, the County issued a subaward to the Subrecipient pursuant to a Subrecipient Agreement that was entered into between the parties (the “**Original Agreement**,” hereby incorporated by reference); and

WHEREAS, the term of the Federal Award, and that of Original Agreement, were set to expire on September 29, 2019; and

WHEREAS, the County requested an extension of the Federal Award which was granted by the Federal Awarding Agency on September 12, 2019 (the “**Federal Extension**,” attached as **Exhibit “C”**); and

WHEREAS, Section 3 of the Original Agreement provided that should an extension request to the Federal Award be granted that “. . .the term of [the Original Agreement] shall extend based on the terms of the granted extension and a written addendum to [the Original Agreement] shall be required”; and

WHEREAS, this Extension Agreement shall serve as the written addendum formalizing the extension provided for in the Original Agreement; and

*Orange County, Florida and Orange County Sheriff's Office
Extension Agreement Regarding Federal Award No. 2016-DJ-BX-0153
Edward Byrne Memorial Justice Assistance Grant Program*

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, the parties agree as follows:

Section 1. Recitals. The above recitals are true and correct and form a material part of this Agreement.

Section 2. Documents.

A. The documents that are incorporated by either reference or attachment and thereby form this Extension Agreement are:

1. This Extension Agreement;
2. The Original Agreement;
3. **Exhibit "A"**: Scope of Work – Amended;
4. **Exhibit "B"**: Budget – Amended; and
5. **Exhibit "H"**: Federal Awarding Agency's Grant Adjustment Notice.

Section 3. Extension. The parties mutually agree to extend the Original Agreement, subject to the terms of the Federal Extension and any amendments made in this Extension Agreement, until January 30, 2020.

Section 4. Amendments.

A. **Exhibits.** The exhibits attached to the Original Agreement shall remain the same, except for **Exhibit "A"** and **Exhibit "B"** which are hereby revised and amended as attached to this Extension Agreement. Additionally, **Exhibit "H"** is hereby created as attached to this Extension Agreement.

B. **Subaward Amount.** The Subaward Amount has been increased from \$152,024 to \$242,024, as is reflected in the revised and amended **Exhibit "B"** as attached to this Extension Agreement.

Section 5. Effect; Conflicts. Except as modified in this Extension Agreement, all other terms and provisions of the Original Agreement are hereby ratified and confirmed and shall remain in full force and effect. In the event of any conflict between the provisions of this Extension Agreement and the provisions of the Original Agreement, the provisions of this Extension Agreement shall control.

Section 6. No Representations. Each party represents that they have had the opportunity to consult with an attorney, and have carefully read and understand the scope and effect of the provisions of this Extension Agreement. Neither party has relied upon any representations or statements made by the other party hereto which are not specifically set forth in this Extension Agreement.

*Orange County, Florida and Orange County Sheriff's Office
Extension Agreement Regarding Federal Award No. 2016-DJ-BX-0153
Edward Byrne Memorial Justice Assistance Grant Program*

Section 7. **Signature Authority.** Each signatory below represents and warrants that he or she has full power and is duly authorized by their respective party to enter into and perform this Extension Agreement. Such signatory also represents that he or she has fully reviewed and understands the above conditions and intends to fully abide by the conditions and terms of this Extension Agreement as stated.

[SIGNATURES ON FOLLOWING PAGE]

Orange County, Florida and Orange County Sheriff's Office
Extension Agreement Regarding Federal Award No. 2016-DJ-BX-0153
Edward Byrne Memorial Justice Assistance Grant Program

IN WITNESS WHEREOF, the parties hereto have signed and executed this Extension Agreement on the dates indicated below.



ORANGE COUNTY, FLORIDA

By: Orange County Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

Date: 3 Dec 19

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Neelie Pe*
for Deputy Clerk

ORANGE COUNTY SHERIFF'S OFFICE

By: John W. Mina

By: *[Signature]*
John W. Mina
Sheriff of Orange County

Date: 12-16-19

APPROVED AS TO FORM AND LEGALITY
FOR THE RELIANCE OF THE SHERIFF
OF ORANGE COUNTY, FL, ONLY

Deborah Burk
DATE: 12-11-19

Exhibit "A"
Scope of Work - Amended

Contract Liaison for Subrecipient
Tammy Miller, Grants Manager
Orange County Sheriff's Office
2500 West Colonial Drive, Orlando, FL 32804
407-254-7269

The Subrecipient shall be responsible for:

The purchase of drug identification enhancement equipment, portable radios for deputies and public safety signage in the Holden Heights area has been approved by the US Department of Justice, Edward Byrne Memorial Grant. Procurement of equipment and supplies must meet the US Department of Justice Edward Byrne Memorial federal grant guidelines and the federal procurement standards in 2 CFR Part 200. All equipment purchased through the grant must be properly tagged by the Subrecipient in a manner that relates back to this Agreement and shall be maintained on a property inventory checklist for review by the grantor annually. The Subrecipient will be responsible for tracking all training documentation and training completion certification of participants. All trainings must meet the US Department of Justice, Edward Byrne Memorial Grant guidelines.

Narcotics Division - Drug Identification Enhancement Equipment:

Purchase monitoring equipment devices (repeaters), portable audible transmitting devices, covert audio and video devices.

- Purchase Drug Identification Unit
- Purchase 3 - Portable sound monitoring enhancement devices (repeaters)
- Purchase 3 - Portable audible transmitting devices
- Covert audio and video devices

Radio Upgrade – Equipment:

- Purchase 34 Motorola APX Portable Radios to replace the legacy XTS Portable Radios for specialized groups such as Motors, SWAT, Aviation, Mounted and volunteers.

Holden Heights Redevelopment Project Signage:

- Purchase 20 permanent signs to be displayed in strategic locations throughout Holden Heights Community.
- The signs will display well-crafted crime prevention messages to include warnings to potential law violators and methods by which to contact certain resources such as crime tip lines, addiction/rehabilitation services and other public safety services. The metal signs will be a standard size and will be professionally constructed and erected in public view.

Narcotics Division Training:

- Narcotics Division will provide an opportunity for deputies to attend and receive drug enforcement training to include community outreach programs.

Exhibit "B"
Budget - Amended

Expenditure	Budgeted Cost
Drug Identification Equipment	\$27,800
3- Portable monitoring enhancement sound devices (repeaters)	\$10,500
3- Portable audio transmitting devices	\$4,500
Covert audio and video	\$2,500
34- Motorola APX Portable Radios	\$190,000
20- Holden Heights Redevelopment Project Signs	\$2,500
Narcotics Division Training	\$4,224
SUBTOTAL	\$242,024
Indirect Costs	\$0
TOTAL	\$242,024

Exhibit "H"
Federal Awarding Agency's Grant Adjustment Notice



US DEPARTMENT OF JUSTICE
 OFFICE OF JUSTICE PROGRAMS

GRANT ADJUSTMENT NOTICE

Grantee Information			
Grantee Name:	Orange County	Project Period:	10/01/2015 - 01/30/2020
Grantee Address:	425 North Orange Avenue Suite 360 Orlando, 32801	Program Office:	BIA
Grantee DUNS Number:	06-479-7251	Grant Manager:	Tarasa Napolitano
Grantee EEN:	59-6000773	Application Number(s):	2016-H3998-FL-DJ
Vendor #:	596000775	Award Number:	2016-DJ-BX-0153
Project Title:	Orange County Board of County Commissioners Byrne Grant 2016 include projects in the area of Law Enforcement, Drug Prevention, Corrections, Crime Prevention, and the Juvenile Assessment Center.		Award Amount: \$405,024.00
Change Project Period			
Current Grant Period:	Month: 47 Day: 29	New Grant Period:	Month: 51 Day: 29
Project Start Date:	10/01/2015	*New Project Start Date:	10/01/2015
Project End Date:	09/30/2019	*New Project End Date:	01/30/2020
* Required Justification for Change Project Period:			
Orange County Board of County Commissioners is respectfully requesting an extension of the 2016 Byrne Grant due to the unexpected delay in approving the subrecipient agreement for the Orange County Sheriff's Office. The Sheriff's			
Attachments:			
Filename:		User:	Timestamp:
Response to Questions for Requested Extension - Orange County Byrne Grant 2016-DJ- BX-0153.pdf		carolburkett	09/12/2019 6:10 PM
Print			
Audit Trail:			
Description:	Role:	User:	Timestamp:
Approved-Final	OCFMD - Financial Analyst	SYSTEM USER	09/18/2019 12:00 PM
Submitted	PO - Grant Manager	carolburkett	09/12/2019 6:11 PM
Draft	EXTERNAL - External User	carolburkett	09/12/2019 6:10 PM
Change Requested	PO - Grant Manager	napolitt	08/26/2019 3:25 PM
Please address the following questions and resubmit:			
1. Establish that the extension is for the benefit of the Federal Government. 2. State the # of prior extensions approved including: 1) which period and 2) length of time 3. Answer the question of why additional time is needed and why it was not			
Change Requested	EXTERNAL - External User	napolitt	08/26/2019 3:25 PM