



Interoffice Memorandum

May 14, 2018

AGENDA ITEM

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director *Lonnie C. Bell*
Family Services Department

FROM: Sonya L. Hill, Manager *Sonya L. Hill*
Head Start Division
Contact: Khadija Pirzadeh, (407) 836-8912
Sonya Hill, (407) 836-7409

SUBJECT: **Consent Agenda Item – June 5, 2018**
Application for Federal Assistance related to
Supplemental Funds FY 2017-2018

The Head Start Division requests Board approval of the Application for Federal Assistance related to Supplemental Funds between the Department of Health and Human Services, Administration for Children and Families, Office of Head Start and Orange County. Supplemental funds in the estimated amount of \$358,000 will be used as follows: install a covered walkway at East Orange Head Start, pour-in-place playground surface replacement materials at Pine Hills and John Bridges Head Start, and installation of new playground surface materials at Lila Mitchell and Hal Marston Head Start sites. The non-federal match of \$89,500 is derived from donations of goods and services and in-kind contributions from the County.

The Application for Federal Assistance includes a Compendium of required Certifications and Assurances for non-construction programs, Certifications regarding Lobbying for Contracts, Grants, Loans and Cooperative Agreements; Certification regarding compliance with Compensation Cap (Level II of the Executive Schedule); Certification of Filing and Payment of Federal Taxes; and Employee Compensation Cap Compliance Assurance. The term of the grant is from October 1, 2017 through September 30, 2018. The Head Start Policy Council approved the Supplemental grant at their meeting on May 17, 2018.

ACTION REQUESTED: Approval of Orange County Head Start Program Application for Federal Assistance related to Supplemental Funds FY 2017-2018 between Orange County and Department of Health and Human Services Administration for Children and Families, Office of Head Start Program; and approval and execution of (1) Certification of Filing and Payment of Federal Taxes; and (2) Employee Compensation Cap Compliance Assurance.

SH/kp:jam

Attachment(s)

c: Randy Singh, Assistant County Administrator
Cristina Berrios, Assistant County Attorney, County Attorney's Office
John Petrelli, Director, Risk Management and Professional Standards
Yolanda S. Brown, Manager, Fiscal Division, Family Services Department
Jamillem Clemens, Grants Supervisor, Finance Division
Patria Morales, Grants Coordinator, Office of Management and Budget

BCC Mtg. Date: June 5, 2018

ORANGE COUNTY HEAD START PROGRAM

**APPLICATION FOR FEDERAL ASSISTANCE
related to**

SUPPLEMENTAL FUNDS 2017- 2018

Budget Narrative

October 1, 2017 through September 30, 2018

Orange County, the non-federal entity, is proposing to use Supplemental Funds, in the amount of \$358,000, to cover expenses related to building and playground safety surfaces.

Orange County Head Start (OCHS) requested permission to utilize Supplemental Funds for additional cost as detailed in the budget. We are requesting funds in the amount of \$268,000 to install a covered walkway at our East Orange Head Start location. In addition, we would like to request funds in the amount of \$90,000 to replace the pour and play at our Pine Hills, Hal Marston and John Bridges Head Start locations.

Walkway Installation

Orange County Government has identified water damage and flooding issues at our East Orange location. Due to the heavy amount of rain in Florida, Orange County is scheduled to move our portable classrooms to a more solid foundation where the ground is not susceptible to flooding or water damage. This is currently in the county's plans for summer 2018 at no cost to our Head Start Program.

The area where the portables are being moved to does not provide a covered walkway for our children, parents and employees. In addition, the site does not have a centralized location identified as a cafeteria. The kitchen is in a separate building from

the children and the food is transported to seven classrooms outside without a covered walk way. As it stands now, if there is inclement weather, the food service assistant attempts to manage the situation as best as possible with an umbrella. During drop off and pick up this also becomes a problem as the walkway not being covered leaves our clients vulnerable to the elements of nature and day to day rainstorms. Providing a covered walkway will aid to the safety of our children and others as meals are delivered as well as the children are dropped off and picked up from their classrooms and other areas of the center.

In addition, we provide specialized services at East Orange Head Start including, speech, occupational and behavioral therapy, health screenings, and nutritional support where individuals would be exposed to the weather elements also. Many volunteers and foster grandparents spend much time at this location. It would be ideal to construct this walkway to protect our citizens as well.

Amount Allocated	Description	Items	Cost
\$268,000	Installation of Covered walkway at East Orange Head Start	Materials, Labor	\$268,000

Playground Safety Surfaces

American Disabilities Act requires our playgrounds to provide ground surfaces along accessible routes, clear floor or ground spaces, and maneuvering spaces to comply with the American Society for Testing and Materials (ASTM) F 1951-99. The standard assesses the accessibility of a surface by measuring the work an individual

must exert to propel a wheelchair across the surface. The standard includes tests of effort for both straight-ahead and turning movements, using a force wheel on a rehabilitation wheelchair as the measuring device. To meet the standard, the force required must be less than that which is required to propel the wheelchair up a ramp with a slope of 1:14.

Over the past five years, it has been Orange County Head Start's goal to ensure our playgrounds are all ADA Compliant. Part of this initiative is to provide quality materials such as safe surfaces to meet the goal of Compliance. Our playgrounds currently use a seamless "wet pour" of blended rubber granules to create a waterproof surface that is ADA Compliant and safe for the children.

We have experienced over many years and many play days on the playground, some of the rubber will tear or create holes. The holes cause a tripping hazard which is a risk to both the children and staff. In the Florida State Statute 65C-22.001 for childcare regulations, early childhood programs are required to correct any problem before the area can be used. Often times the playground cannot be used until the holes are filled. The maintenance technician has been diligent by using leftover product to piece in these areas, however the surface has reached the number of years of expected usage. The Pine Hills and John Bridges locations are in need of surface replacement. In addition, at two of our locations; Lila Mitchell and Hal Marston, the playground is still covered in rubber pieces, not allowing access per ADA guidelines.

In the Florida Playground Act there are nine steps listed for early child care providers to follow when using the rubber mulch. We would like to request this funding

to help us achieve our goal of ADA Compliance. Although we are meeting the standards, it is not best practice for children that may experience physical limitations.

Pine Hills Head Start Playground



John Bridges Head Start Playground



Hal Marston Head Start Playground



Lila Mitchell Head Start Playground



Surface Budget

Amount Allocated	Description	Items	Cost
\$20,000	Pour and Play Surface Replacement for Pine Hills Head Start Playground	Pour and Play Materials Labor for Installation	\$20,000
\$20,000	Pour and Play Surface Replacement for John Bridges Head Start Playground	Pour and Play Materials Labor for Installation	\$20,000
\$25,000	Installation of new surface for Lila Mitchell Head Start Playground	Removal of Rubber Pour and Play Materials Labor for Installation	\$25,000
\$25,000	Installation of new surface for Hal Marston Head Start Playground	Removal of Rubber Pour and Play Materials Labor for Installation	\$25,000

The non-federal match in the amount of \$89,500 is derived from the county and In-kind contributions.



**FAMILY SERVICES DEPARTMENT
HEAD START DIVISION**

2100 East Michigan Street • Orlando, FL 32806-4914
407-836-6590 • Fax: 407-836-7420 • <http://www.orangecountyfl.net>

May 17, 2018

The Orange County Policy Council approved the Supplemental Application FY 2017 -2018 at its executive meeting held on May 17, 2018 in anticipation of a Notice of Award letter for Head Start.

Funds in the amount of \$358,000 will be used to purchase and construct a walkway at East Orange Head Start, and replace playground surfaces at Pine Hills, John Bridges, Lila Mitchell and Hal Marston playgrounds.

Special Note: Minor changes of the Application can be permitted after Policy Council's approval.



Dexter Nelson, Policy Council Chairperson

**U.S. DEPARTMENT OF HEALTH AND HUMAN
SERVICES COMPENDIUM OF REQUIRED
CERTIFICATIONS AND ASSURANCES**

Office of Head Start

Updated July 29, 2014

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES COMPENDIUM OF REQUIRED CERTIFICATIONS AND ASSURANCE

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U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES COMPENDIUM OF REQUIRED CERTIFICATIONS AND ASSURANCE

SF424B Assurances – Non-Construction Programs

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES COMPENDIUM OF REQUIRED CERTIFICATIONS AND ASSURANCE

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES COMPENDIUM OF REQUIRED CERTIFICATIONS AND ASSURANCE

Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Regarding Compliance with Compensation Cap (Level II of the Executive Schedule)

Federal funds will not be used to pay any part of the compensation of an individual employed by a Head Start and/or Early Head Start agency if that individual's compensation exceeds the rate payable for Level II of the Executive Schedule.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES COMPENDIUM OF REQUIRED CERTIFICATIONS AND ASSURANCE

APPROVED -
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 05 2018

Certification of Filing and Payment of Federal Taxes

As required by the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 2008 (Public Law 110-161, Division G, Title V, section 523), as a prospective financial assistance recipient entering into a grant or cooperative agreement of more than \$5,000,000, I, as the duly authorized representative of the applicant, do hereby certify to the best of my knowledge and belief, that:

1. The applicant has filed all Federal tax returns required during the three years preceding this certification
2. The applicant has not been convicted of a criminal offense pursuant to the Internal Revenue Code of 1986 (U.S. Code - Title 26, Internal Revenue Code)
3. The applicant has not, more than 90 days prior to this certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

Submission Statement

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☐ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Hon. * First Name: Teresa
Middle Name: T.
* Last Name: Jacobs
Suffix:

* Title: Mayor

* Telephone Number: (407) 836-7037 Fax Number:

* Email: Vanessa.Nogueira@ocfl.net

* Signature of Authorized Representative: *Vanessa Nogueira* * Date Signed: 6.5.18

* Submitted by:



Employee Compensation Cap Compliance Assurance

Head Start funds do not pay for the salary of the Executive Director either as a direct cost or any proportion as an indirect cost, at a rate in excess of \$189,600.00. Funds are, however, used to pay for the salaries of the Head Start Director, the Fiscal Program Manager, the Senior Program Early Childhood Education, and Senior Program Manager Childhood Health and Development. Those salaries are as follows:

Position	Base Salary	FICA	Retirement	Health	Total
HS Manager	\$97,543	\$7,462	\$8,057	\$11,900.00	\$124,963
Sr. Program Mgr. Early Childhood Education	\$64,713	\$4,951	\$5,764.12	\$11,900.00	\$86,909
Sr. Program Mgr. (Childhood Health and Development)	\$77,996	\$5,967	\$ 6,442	\$11,900.00	\$102,305
Program Mgr. (Fiscal)	\$57,178	\$4,374	\$4,723	\$11,900.00	\$78,175

Orange County Florida

Employee Compensation Cap Compliance Assurance

Orange County Florida complies with the Head Start Act, Section 653 (Comparability of Wages), which limits the compensation of Head Start staff. The language precludes use of any Federal funds to pay any part of the compensation of an individual employed by a Head Start agency whose compensation exceeds the rate payable for Level II of the Executive Schedule, which is currently \$189,600. None of the Orange County Florida staff exceed the employee compensation cap.

Signature: *Teresa Jacobs*
Title: Teresa Jacobs, Orange County Mayor

Organization: Orange County Florida

Date: 6.5.18

