

Overview

**STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Project Safe Neighborhoods Grant Program**

The United States Attorney's Office - District of South Carolina has selected the South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP), as the PSN Fiscal Agent responsible for the fiscal oversight and subgrant process for South Carolina's PSN program. The overall goal for this initiative is to promote safe communities across the state through the reduction of gun violence and gang activity, with special focus on areas with increased rates of violent crime/gang activity. The program can fund personnel, equipment, technical assistance, travel, supplies, and research for programs which address gang involvement, crime and violence. Priority projects include gun/gang investigation/suppression programs, prevention/education programs, data analysis/research partners, firearms analysis, or training programs. However, innovative projects outside of these priorities which are aimed at reducing firearm and gang violence will also be considered.

Version:

Application Deadline: 2021-04-16

Application #: T21296

Grant #:

Award Date:

State Start Date: 2021-10-01

State End Date: 2022-09-30

Project Details

Project Title: IBIS/NIBIN System Implementation for the Upstate of South Carolina

Project Summary (max. 300 characters): This project allows firearms examiners to enter characteristics from shell casings recovered from crime scenes for comparison to the ATF National Database. This program would tie cases together and solve crimes more efficiently making for a safer community for citizens by reducing gun violence.

Type of Application: New

Year of Funds: 1

Appropriation of Non-Grantor Matching Funds: County

Other (explain):

Program Area: Prevent/reduce gun violence in the community by identifying the most violent offenders.

Agency Details

Agency Name: Greenville County Department of Public Safety - Forensic Division

Address: 20 McGee Street

City: Greenville

State: SC

9 Digit Zip: 29601-2210

(Area) Phone #: (864) 467-5398

(Area) Fax #: (864) 467-5130

County: Greenville

Other county/counties this project will serve: Spartanburg, Anderson, Pickens, Oconee, Laurens and other law enforcement agencies in the upstate of South Carolina

Organization Type: County

Other (specify):

U.S. Congressional District: 4

Has your agency registered in the System for Award Management (SAM)? yes[☐] no[☐]

(<https://uscontractorregistration.com>):

Budget

CATEGORIES			GRANTOR	CASH MATCHING FUNDS	TOTAL
PERSONNEL - SALARIES:					
Position Title	Annual Salary/Rate	% of Time On Project			
Criminalist	46420	100	\$46,420	\$0	\$46,420
TOTAL SALARIES:			\$46,420	\$0	\$46,420

EMPLOYER CONTRIBUTIONS (Fringe Benefits)

Description	Rate	X Base			
Social Security & Medicare (FICA)	46420	0.0765	\$3,551	\$0	\$3,551
Retirement	46420	0.1924	\$8,931	\$0	\$8,931
Workers Compensation Insurance	46420	0.0362	\$1,680	\$0	\$1,680
Unemployment Insurance (on first \$7,000 only)	7000	0.0002	\$1	\$0	\$1
Health Insurance	12967	1	\$12,967	\$0	\$12,967
Dental Insurance	324	1	\$324	\$0	\$324
Pre-Retirement Death Benefit	82	1	\$82	\$0	\$82
Accident Death Benefit (Police Officers)					
Other Employer Contributions (Itemize)					
TOTAL EMPLOYER CONTRIBUTIONS:			\$27,536	\$0	\$27,536
TOTAL PERSONNEL:			\$73,956	\$0	\$73,956

CONTRACTUAL SERVICES:

(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)

Description	Cost	Quantity			
			\$0	\$0	\$0
TOTAL CONTRACTUAL SERVICES:			\$0	\$0	\$0

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Description	Cost	Quantity			
			\$0	\$0	\$0
			TOTAL TRAVEL:	\$0	\$0

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME. Also, DO NOT include leased, rented items or software)

Description	Cost	Quantity			
NIBIN Cartridge Cases Acquisition & Analysis Package Comprised of One (1) BRASSTRAX Acquisition Station, One (!) MATCHPOINT Analysis Station for Cartridge Cases, One (1) Color Printer (To Include 1 Year Warranty & Travel/Lodging for Vendor to Install Equipment/Train Employees	223962	1	\$223,962	\$0	\$223,962
			TOTAL EQUIPMENT:	\$223,962	\$0

OTHER:

Description	Cost	Quantity			
Shipping and Handling	1203	1	\$1,203	\$0	\$1,203
South Carolina Sales Tag @ 6%	13510	1	\$13,510	\$0	\$13,510
			TOTAL OTHER:	\$14,713	\$0
			TOTAL PROJECT COST:	\$312,631	\$0

Budget Narrative

List items under each Budget Category Heading. Explain exactly how each item listed in your budget (both grantor and match) will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided.

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1. Equipment:

NIBIN Cartridge Cases Acquisition and Analysis Package:

One (1) BRASSTRAX Acquisition Station - Digitally captures the regions of interest in a cartridge case in 2D and 3D, revealing considerable impression detail and multiple viewing perspectives that are uploaded to NIBIN to automatically search for matches.

One (1) MATCHPOINT Analysis Station for Cartridge Cases - Provides extensive 2D and 3D viewing tools to review the correlation results, significantly increasing identification success rates. High-confidence matches can be quickly communicated as leads to investigators.

One (1) Color Printer - Print information from NIBIN system

2. Personnel:

One (1) Full Time Employee - This employee will work 40 hours per week to operate the NIBIN system

3. Others:

Travel and living expenses for equipment's installer and instructor

State Sales Tax - Required to be paid on all purchases made by Greenville County.

Shipping - A fee paid to ship purchased equipment from the vendor to the Greenville County Forensic Division Firearms Laboratory.

Program Narrative

PROBLEM STATEMENT: First, define the problem exactly as it exists in your particular community. Describe the nature and magnitude of the problem using valid, updated statistical data, and cite the source and date of your information. Prior data may be used to show changes in the magnitude or severity of the problem. Remember to document the problem and not the symptoms or solutions of the problem. Second, identify your existing efforts, current resources and programs being utilized to deal with the problem.

The Greenville County Department of Public Safety Forensic Division is an independent group of forensic practitioners funded to provide forensic services to law enforcement agencies in Greenville County. This entity operates the most comprehensive group of forensic services in the upstate of South Carolina. The Forensic Division is comprised of a Crime Scene Section, Latent Print, Drug Laboratory, Firearms Laboratory, DNA Laboratory, and a Property/Evidence Section. Forensic services are offered free of charge to all law enforcement agencies in Greenville County. The various analytical laboratories of the Forensic Division offer services to law enforcement agencies outside Greenville County and afford services as a regional laboratory.

Greenville County is located along the I-85 corridor in the upstate of South Carolina and is geographically located between Charlotte, North Carolina, and Atlanta, Georgia. In 2017, the City of Greenville was recognized as the fourth fastest-growing city in the United States and is the largest city in Greenville County. The current population of Greenville County is 523,542 (est.) in 2019 by the U. S. Census Bureau and is the largest County in South Carolina consisting of 789 square miles. The Greenville Metropolitan Statistical Area (MSA) is comprised of 10 counties, all located along the I-85 corridor and has a 2019 population of 920,477 and is the largest MSA in South Carolina followed by the Columbia MSA and Charleston MSA.

With the growth of the business environment and influx of residents, Greenville County and the upstate of South Carolina has experienced a growth of crime. Being located along the I-85 corridor the area has a considerable volume of traffic bound for Greenville or passing through destined for other locations. Interstates I-85 and I-385 pass through Greenville with a high volume of traffic going to Charlotte and Atlanta on I-85 and to Columbia via I-385 and I-26. The ease of access to the area and close proximity to the larger metropolitan areas of Atlanta and Charlotte has been instrumental in the transportation of drugs to and through Greenville County. An example of several larger seizures during the past year along I-85 involves the seizure of 2 pounds of methamphetamine in August 2019 and 75 pounds of marijuana in December 2019. These cases involving drugs often involve weapons in the possession of those charged. These guns have a host of origins ranging from legitimately purchased to stolen. In recent years law enforcement has noted an increase in crimes involving guns. One type of crime involving guns is armed robberies. These cases were once sporadic and often occurred primarily during the Thanksgiving and Christmas Holidays falling in November and December.

Today there is no pattern for when armed robberies occur and there are often multiple cases per week. Another area of gun violence which appears to be a growing trend is where a mobile individual, either on foot or in a vehicle, with a gun, anonymously shoots at an individual, a vehicle, or a residence. In many of these cases, individuals sustain injuries sometimes fatal and many of which innocent individuals in their homes are barely missed by the projectiles/bullets. In a number of these cases, those missed by the projectiles are young children or babies. In the majority of these cases, some of the spent projectiles/bullets can be recovered. Depending on the deformity of the projectile they could potentially be compared to a weapon if one is recovered at some point in time. The most probative evidence in the majority of these cases is the shell casings ejected as semi-automatic or automatic weapons are fired. These shell casing can also potentially be matched to a weapon the casing was fired from.

Another crime that is emerging in the United States and also growing in Greenville is human trafficking. The location of Greenville and the population size make it an ideal location for this type of activity. With this type of activity there are often guns involved and ultimately filtering into the community.

The most current SLED statistical data available for major crimes in Greenville County is from 2019. The statistics from this report is as follows.

- 34 murders took place in Greenville County.
- 85.5% of the homicides involved the use of firearms.
- 2,561 of violent crimes in Greenville County involved firearms.
- Greenville County experienced a reported 405 robberies for this period of which 57.3% involved the use of firearms.
- The number of aggravated assaults for Greenville County was 1,703 of which 47.6% of which involved firearms.

Arrests made in Greenville County Cases in 2019:

- Murders – 46 Arrests
- Robbery – 168 Arrests

- Aggravated Assault – 674 Arrests
- Drug Law Violations – 5,201 Arrests
- Human Trafficking – 2 Arrests

On a state-wide basis during 2019 SLED reported the following statistics:

- 441 Murders
- 3,362 Robberies
- 19,940 Aggravated Assaults

An escalating problem being seen in Greenville County and neighboring areas is “drive-by” shootings. These type cases occur almost daily and involve individual(s) discharging weapons toward homes and vehicles. In some of these cases, individuals have been injured and others narrowly escaped injury, including young children. Aside from the injuries/potential injuries, there is the consideration that must be given to the amount of property damage caused by projectiles penetrating homes and vehicles. Investigators from upstate counties have discussed cases they have of this type and feel that many are believed to be related.

Reviewing records of the Property and Evidence Section dealing with the seizure of guns (weapons) and shell casings the following information was noted.

Weapons:

2017 - 1,248
2018 - 1,252
2019 - 1,446
2020 - 1,672

January 2, 2010 – December 31, 2020

8,833

Shell Casings:

2017 - 1,089
2018 - 961
2019 - 1,135
2020 - 1,626

January 1, 2010 – December 31, 2020

7,391

These statistics are only from cases involving the Greenville County Sheriff's Office and Greenville Police Department. Based on these numbers the potential submissions from the upstate of South Carolina would be substantially more.

As evidenced by the above statistics firearms play a prominent part in many of the crimes currently investigated by law enforcement. Based on these statistics an alarming number of juveniles are involved in serious crimes involving firearms. In many of these cases involving guns, they are not left on the crime scene for law enforcement to collect as evidence and potentially examined. In many of these cases, ejected shell casings from weapons remain on the scene. As each of these shell casings is fired and ejected from a weapon there are unique and identifying markings transferred from the weapon to the shell casings. These marks are unique and can be used for searching and comparison in a similar manner as fingerprints.

The United States Bureau of Alcohol, Tobacco, and Firearms maintains a system for entry and searching of these shell casings and test fired casing from known weapons on a national basis. Currently, in the State of South Carolina, there are only two agencies with trained firearms examiners to perform these entries and searches. These workstations are at the State Law Enforcement Division (SLED) in Columbia and in Charleston at the Charleston County Sheriff's Office. To take advantage of these services, law enforcement agencies in Greenville County now have to take their shell casings and weapons for test firing to SLED to have these services performed. The current practice involves research time by investigators to identify cases involving weapons and shell casings and arrange for the Property and Evidence Section to pull the evidence for transport to SLED. Once the evidence is pulled the investigator coordinates with the SLED Firearms Department on a date and time to transport this evidence for their entry into the system. Once completed the agency investigator brings the evidence back to Greenville to the Forensic Division Property and Evidence Section. The current process is very labor intensive and takes an officer from an agency away from their assigned duties to perform these tasks.

The Forensic Division can offer services to address the use of firearms in the crimes outlined supra. The Firearms Laboratory is staffed by a full-time employee fully qualified in all aspects of firearms/ballistic examination. This employee has been qualified in local, State, and Federal courts as an expert witness over 70 times. This examiner is supplemented by a contract firearms examiner who has in this position for over 20 years. Before contracting with the Greenville County Firearms Laboratory, the contract employee was employed full-time as a firearms examiner with the Philadelphia Police Department.

The Forensic Division Firearms Laboratory has the potential to offer services to assist law enforcement in expediting these cases. To offer these services, the Firearms Laboratory would need an IBIS (Integrated Ballistic Identification System) System to capture images from shell casings to be entered and searched against the ATF NIBIN (National Integrated Ballistic Information Network) database. Having this equipment on a local basis would greatly minimize the manpower/budget resources currently being expended by the law enforcement agencies that are currently transporting these shell casings to SLED for this service. Investigators could be supplied with reliable investigative leads that would benefit investigators in tying spent shell casings between different scenes and to seized weapons. Having access to the IBIS and NIBIN is familiar to the employees of the Firearms Laboratory. In 1999, the ATF placed an IBIS/NIBIN System in the Greenville County Firearms Laboratory. The total expense was borne by ATF and Greenville County was able to obtain grant funding for an employee to supplement in system operation. Unfortunately, due to significant Federal Government budgetary cutbacks, the ATF was forced to remove the IBIS/NIBIN System they supplied to Greenville County in 2009.

The expedient use of the IBIS/NIBIN system will assist investigators in assembling investigative leads and tying cases together. The ballistic information along with other details they can obtain from related cases should lead to the faster solving of cases potentially preventing suspect(s) from continuing to commit crimes and potentially injure or kill additional individuals and cause further property damage. Law enforcement using this new technology will be released to local media for publication thus making some people more hesitant to engage in these violent crimes. The solving of these cases will make some people more hesitant to continue using guns when committing crimes. The overall community should see a reduction of violent crime and citizens should feel safer in the community.

The undertaking of this additional service in the Firearms Laboratory is anticipated to be very labor intensive. The current firearms examiner has the shared responsibility of working in the Drug Laboratory as an analyst and also serves as the supervisor over the Drug and Firearms Laboratories. A part-time contract employee provides peer review over firearms cases but has recently moved to Georgia. He still continues to provide peer review of cases but is restricted by the distance to Greenville and only drives here once per month to peer review current casework. In an effort to make this project successful, a full-time grant funded position is needed to fully utilize the potential of the IBIS/NIBIN system. This grant employee could also begin training to ultimately become a firearms examiner. This project is a joint collaboration between the Department of Public Safety, the Greenville County Sheriff's Office, and Greenville City Police Department. In the event that full financial support of this grant request is not available through the Project Safe Neighborhoods 2021 Grant Solicitation the Greenville County Sheriff's Office and Greenville City Police Department have verbally committed financial support/assistance to cover any shortage of funds and ensure the implementation and success of this project.

PROJECT PURPOSE: First, describe the broad goals of your project. Then describe a specific plan for conducting the project and a rationale for the tasks and activities to be employed to address the problem outlined above.

Broad Goal:

The Greenville County Forensic Division Laboratory will incorporate an IBIS/NIBIN ballistic system into the laboratory operational system. Laboratory personnel will enter characteristics from ballistic evidence in the system to be searched against other entered evidence. This system will allow investigators to associate crime scenes and evidence together and also assist with the identification of individuals associated with the crimes.

- Submit a grant application for IBIS/NIBIN system.
- Get approval for purchase of IBIN/NIBIN system.
- Notify client agencies of local implementation of IBIS/NIBIN in Greenville
- Place order for IBIS/NIBIN system.
- Receive equipment & schedule installation.
- Notify client agencies of implementation date to begin offering services.
- Identify individuals involved in the commission of crimes, make arrests, and reduce gun violence.

PROJECT OBJECTIVE(S): Objectives are specific, quantified statements of expected results of the project. The objectives must be described in terms of measurable events that can be realistically expected under time constraints and resources. Objective must be related to the Problem Statement and Project Purpose outlined above.

- Install IBIS system and train employees.
- Identify shell casings to be entered into system.
- Enter data from shell casings into IBIS/NIBIN system.

- Receive and verify returned results from the IBIS/NIBIN system, prepare reports, and notify investigator.

PERFORMANCE INDICATOR(S): State exactly how each objective will be measured. **Performance indicators must be matched to each program objective listed above** (i.e., if there are 5 objectives then there must be 5 corresponding performance indicators). Performance indicators are based on quantitative (numbers) and qualitative (opinions organized in meaningful ways) data gathering procedures which evaluate and document your project.

Performance Indicators:

- Maintain records of employees training.
- Maintain records of examinations conducted.
- Maintain records of data entry into IBIS/NIBIN.
- Maintain records of the cases/specimens matched.

PROJECT EVALUATION: This requirement is to: (1) establish an evaluation plan or process to assess the impact of your project on the drug and violent crime problem in your jurisdiction, (2) conduct the evaluation during the grant funded period, and (3) submit a formal written evaluation report at the close of the grant period. The purpose of evaluating each project is to assess how well it has been implemented in your jurisdiction and to assess the extent to which the activities funded have achieved the project's goals. The plan or process must describe how the evaluation will be accomplished and must describe the range of activities that will serve as vehicles for obtaining general qualitative and specific quantitative information. **The plan or process must be completed and submitted on this page.**

This grant shall be monitored during the grant period and thereafter to determine the effectiveness of the grant and IBIS/NIBIN System. The information retained to measure the effectiveness will be recorded and produced monthly in the Forensic Division MIS report and also the annual MIS report. Any issues encountered will be discussed at the Forensic Division Monthly Management Meeting where it will be recorded in the minutes. Notable issues will also be mentioned in the Forensic Division Highlights document and annual Forensic Division Management Review publication.

GRANT-FUNDED PERSONNEL TRAINING: A formal training plan should be prepared for grant-funded personnel to provide qualification training necessary to adequately implement the first year of the grant project. For continuation grant projects, sustainment-training needs are encouraged and expected. Cite the training plan and training courses below.

One grant funded position is being requested with this grant. The initial IBIS/NIBIN training for the grant funded employee is provided by the vendor and is included in the in the purchase price of the equipment.

Training Program:

- 1- Involves a comprehensive multi-step training program to be delivered online and at the customer site.
- 2- The vendor will provide online training credentials that will allow the trainees to access introductory online courses.
- 3- The vendor will provide on-site basic user training for a maximum of two (2) trainees. Duration and content will vary based on equipment purchased.
- 4- Training modules include:
 - IBIS Brasstrax Acquisition and Triage
 - IBIS Bulletrax Acquisition
 - IBIS Matchpoint Correlation
 - IBIS HD3D Management
 - Train the Trainer for IBIS Brasstrax

PROJECT CONTINUATION POTENTIAL: Explain how the project activity will be continued after federal assistance is no longer available.

Greenville County is committed to maintaining this service to the law enforcement community of Greenville County at the conclusion of the grant period. Assurance has been given by the Greenville County Sheriff's Office and Greenville Police Department to aid in funding the continuation of this project. Once the processes have been streamlined and deemed by management to be ready it is anticipated this service will be offered to law enforcement agencies in upstate South Carolina.

Program Narrative - Counts

**Total Population for
county(ies) or
City/Town:** 523000

**Cite source of
information:** U. S. Census Bureau

AGENCY INFORMATION: (For Law Enforcement Agencies ONLY)

**Number of regular
full-time officers in
implementing agency:** 30

**Number of regular
part-time officers in
implementing agency:** 1

**Number of reserve
officers in implementing
agency:** 0

**Total number of
personnel in
implementing agency:** 37

Implementation Schedule

IMPLEMENTATION SCHEDULE

The Implementation Schedule is intended to give our office a proposed list of activities planned, when they are to be implemented, and the person responsible. Exact dates are not necessary in the "Implementation Proposed Time Frame" section. The "Implementation Actual Time Frame" section will be used to reflect the actual activities, dates, etc. when submitting your Progress Report after the grant is approved.

Implementation Tasks	Person Responsible	Implementation Proposed (Proposed Quarters)				Implementation Actual Time Frame (Actual Dates)				Date
		1 Qtr	2 Qtr	3 Qtr	4 Qtr	1 Qtr	2 Qtr	3 Qtr	4 Qtr	
Initiate Purchase Process for Required Equipment	Laboratory Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Notify Client Agencies of System Purchase/Status Update	Laboratory Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Prepare Policies and Procedures for Operation/Reporting	Firearms Laboratory Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advertise for and Hire Grant Position Employee	Greenville County Human Resources/Laboratory Director	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Receive and Install System Equipment	Vendor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Announce to Client Agencies the Implementation Date of Service	Laboratory Director	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implement Casework	Firearms Laboratory Manager	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Complete Programmatic Reports as Required	Laboratory Director	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Acceptance of Audit Requirements

ACCEPTANCE OF AUDIT REQUIREMENTS

PLEASE NOTE: State Agencies whose annual audit is covered by the State Auditor's Office do not have to complete this form.

We agree to have an audit conducted in compliance with 2 CFR 200.501, if required. If a compliance audit is not required, at the end of each audit period we will certify in writing that we have not expended the amount of federal funds that would require a compliance audit (\$750,000). If required, we will forward for review and clearance a copy of the completed audit(s), including the management letter, if applicable, to:

Accounting - Grants, D1
S.C. Department of Public Safety
10311 Wilson Blvd., PO Box 1993
Blythwood, SC 29016

The following is information on the next organization-wide audit which will include this agency: (Use your Agency's fiscal year)

1. *Audit Period: Beginning

2021-07-01

Ending

2022-06-30

2. Audit or written certification will be submitted to Accounting - Grants by:

2022-12-31

(Date)

NOTE: The audit or written certification must be submitted to Accounting - Grants, S.C. Department of Public Safety, no later than the ninth month after the end of the audit period.

Additionally, we have or will notify our auditor of the above audit requirements prior to performance of the audit for the period listed above. We will also ensure that, if required, the entire grant period will be covered by a compliance audit which in some cases will mean more than one audit must be submitted. We will advise the auditor to cite specifically that the audit was done in accordance with 2 CFR 200.501.

Any information regarding the CFR audit requirements will be furnished by Accounting - Grants, S.C. Department of Public Safety, upon request.

***NOTE: The Audit Period is the organization's fiscal or calendar year to be audited.**

Failure to complete this form will result in your grant award being delayed and/or cancelled.

Terms & Conditions

OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM TERMS AND CONDITIONS

1. **Availability of Funds:** This grant award is contingent upon the availability of funds approved by the statutory governing body for those funds. For federal funds, availability is controlled by the United States Congress.
2. **Correspondence:** All correspondence to the State Funding Agency (SFA), regardless of the medium (paper, email, facsimile, etc.), must include either the application number, or in the case of an award, the grant award number to which the correspondence refers.
3. **Applicable Federal Regulations:** The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the United States Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to any award of funds out of Federal Fiscal Year 2015 and forward. The Part 200 Uniform Requirements, which were first adopted by the USDOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230. For further guidance or specifics, please refer to <http://www.grants.gov/web/grants/learn-grants/grant-policies/omb-uniform-guidance-2014.html>. For any award of funds out of Federal Fiscal Year 2014 and prior the subgrantee must comply with the Office of Management and Budget (OMB) Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, A-122 Cost Principles for Non-Profit Organizations. Also, the Subgrantee must comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures Part 66 (formerly OMB Circular A-102), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Contact Accounting-Grants staff for further clarification of this requirement.
4. **Standard Assurances:** Upon receipt of federal funds, the State of South Carolina has assured and certified adherence to Standard Assurances to the US Department of Justice and in turn applies these rules to any contract, award, or subaward made under these funds. OMB APPROVAL NO. 1121-140 EXPIRES 5/31/2019
 - a. The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including 2 C.F.R. Part 2800 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards by the Department of Justice), and Ex. Order 12372 (intergovernmental review of federal programs). The applicant also specifically assures and certifies that:
 - b. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
 - c. It 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.
 - d. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
 - e. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
 - f. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
 - g. It will comply (and will require any subgrantees or contractors to comply) with any applicable nondiscrimination provisions, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c) and 10221(a)); the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07). It will also comply with Ex. Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38.
 - h. If a governmental entity—
 - A. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - B. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.
5. **Allowable Costs:** The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable Federal or State requirements

listed in the application Guidelines and Procedures.

6. **Prohibited Conduct – Trafficking of Persons** The recipient, and any subgrantee at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subgrantees, or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subgrantee. The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the USDOJ-OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> including reporting requirements and OJP authority to terminate award.
7. **Appropriations Restrictions for Federal Funds:** The recipient, and any subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Should a question arise as to whether a particular use of federal funds by a recipient (or a subgrantee) would or might fall within the scope of an appropriations-law restriction, the subgrantee is to contact the SFA for guidance and may not proceed without the express prior written approval of the governing entity of those funds.
8. **Environmental Impact Requirements:** The grantee, and by association any subgrantee, agrees to assist any requesting federal funding agency 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 subgrantee. Accordingly, the grantee 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 grantee agrees to contact the federal funding agency. 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 subgrantee, 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, which may or may not be allowable by the SFA, are as follows:
 - 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 the federal funding agency. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://www.bja.gov/Funding/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.

9. **Jacob's Law:** The South Carolina Code of Laws Section 56-5-195 prohibits the transportation of children to or from schools or school-related functions using minivans or fifteen-passenger vans. Any vehicle that is purchased or rented with grant funds for the purpose of transporting juveniles or children to or from schools or school-related functions must be classified as a school bus or a mini-school bus.
10. **Texting:** Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the U.S. Department of Justice encourages subgrantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
11. **Indirect Cost Rate Agreements:** If the subgrantee requests an indirect cost rate as an allowable expense item, a copy of the current and in-effect cost rate agreement must be submitted within thirty [30] days of the award date. A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise the SFA in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.
12. **Audit Requirements:** The subgrantee agrees to comply with the requirements of §200.501. Further, records with respect to all matters covered by this grant shall be made available for audit and inspection by the SFA and/or any of their duly authorized representatives. If required, the audit report must specifically cite that the report was done in accordance with the applicable requirements. If a compliance audit is not required, a written certification must be provided at the end of each audit period stating that the subgrantee has not expended the amount of federal funds that would require a compliance audit. The subgrantee agrees to accept these requirements by the completion of the audit page of this application. The SFA will pay only the grant portion of compliance audit costs and only if a compliance audit is required. Funding of accounting services is not reimbursable.
13. **Non-Discrimination:** The subgrantee understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided

from those funds, or of the parents or legal guardians of such students. The subgrantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (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), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (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 Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subgrantees to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application. The subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to the SFA.

14. **Equal Employment Opportunity:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under subgrants awarded pursuant to the Act governing these funds or any project, program, activity or subgrant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The subgrantee must therefore ensure that it has a current Equal Employment Opportunity Program (EEO) which meets the requirements of 28 CFR 42.301. The subgrantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEO, as supplemented in Department of Labor Regulations 41 CFR Part 60. The subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to the SFA.
15. **Civil Rights Compliance:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under subgrants awarded pursuant to the Act governing these funds or any project, program, activity or subgrant supported by such requirements of: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, and; the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The subgrantee must therefore ensure it has a current Equal Employment Opportunity Program (EEO) which meets the requirements of 28 CFR 42.301. Depending on the funding source, the subgrantee must be in compliance with the Omnibus Crime Control and Safe Streets Act of 1968, the Juvenile Justice and Delinquency Prevention Act of 1974 and the Victims of Crime Act of 1984, or other applicable DOJ program statutes which provide funding from the SFA to the subgrantee. Subgrantees are also subject to the provisions of Partnerships with Faith-Based and Other Neighborhood Organizations, 28 C.F.R. pt. 38; Exec. Order No. 13,559, 75 Fed. Reg. 71,319 (Nov. 17, 2010 – Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations), and; Ex. Order No. 13,279, 67 Fed. Reg. 77,141 (Dec. 12, 2002 – Equal Protection of the Laws for Faith-Based and Community Organizations). All grant-funded personnel, and their supervisors, shall view the civil rights training presentation located at www.scdps.gov/ohsjp within the first month of a grant award and respond to the special condition to attest in writing that viewing occurred with signed forms to be submitted to the SFA.
16. **Faith-Based Organizations:** Executive Order 13279, Executive Order 13559, and the U.S. Department of Justice's (USDOJ) regulations on the Partnerships with Faith-Based and other Neighborhood Organizations, 28 C.F.R. pt. 38, prohibit recipients from using DOJ financial assistance on inherently (or explicitly) religious activities and from discriminating in the delivery of services on the basis of religion. Therefore, programs or activities that are considered inherently (or explicitly) religious activities are not allowable for grant funding. In addition the USDOJ has determined that twelve-step recovery programs are considered inherently (or explicitly) religious activities under federal civil rights laws. The Equal Treatment Regulation provides in part that Department of Justice grant awards of funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. A document containing Frequently Asked Questions (FAQ) has been developed to provide guidance for State Administering Agencies and subgrantees implementing USDOJ financial assistance on the conditions under which they may offer twelve-step recovery programs consistent with federal civil rights laws as part of the services that they provide. The FAQ may be found on the OJP's Office for Civil Rights' website at www.ojp.usdoj.gov/about/offices/ocr.htm. If you have any questions, please contact the Office for Civil Rights at (202) 307-0690. USDOJ amended this federal regulation concerning faith-based organizations on May 4, 2016 to include the following addition: "Compliance with USDOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38
 - a. The recipient, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.
 - b. Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subgrantees that are faith-based or religious organizations.
 - c. The text of the regulation, now entitled 'Partnerships with Faith-Based and Other Neighborhood Organizations,' is available via the Electronic Code of Federal Regulations (currently accessible at www.e CFR.gov by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR *current* data.)

17. **Americans with Disabilities Act of 1990 (ADA):** The subgrantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.
18. **Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped):** All recipients of federal funds must comply with Section 504 of the Rehabilitation Act of 1973 (The Act). Therefore, the federal funds recipient pursuant to the requirements of The Act hereby gives assurance that no otherwise qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of The Act shall be included in the agreements with and be binding on all of its subgrantees, contractors, subcontractors, assignees, or successors.
19. **Compliance with Title VI (Limited English Proficiency)** National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, subgrantees are required to take reasonable steps to ensure that individuals with LEP have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Subrecipients are encouraged to consider the need for language services for individuals with LEP served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for individuals with LEP are considered allowable program costs. The U.S. Department of Justice has issued guidance to assist in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.
20. **Utilization of Minority Businesses:** Subgrantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.
21. **Conflict Of Interest:** Personnel and other officials connected with this grant shall adhere to the requirements given below:
 - a. **Advice:** No official or employee of a state or unit of local government or of nongovernment grantees/subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which these funds are used, where to their knowledge they or their immediate family, partners, organization other than a public agency in which the individual is serving as officer, director, trustee, partner, or employee or any person or organization with whom they are negotiating or has any arrangement concerning prospective employment, has a financial interest.
 - b. **Appearance:** In the use of these grant funds, officials or employees of state or local units of government and nongovernmental grantees/subgrantees shall avoid any action which might result in, or create the appearance of:
 1. Using an official position for private gain;
 2. Giving preferential treatment to any person;
 3. Losing complete independence or impartiality;
 4. Making an official decision outside official channels; or
 5. Affecting adversely the confidence of the public in the integrity of the government or the program.
22. **Active DUNS number, Central Contractor Registration (CCR) registration, and South Carolina State Vendor ID are required for federal reporting purposes and reimbursement:**
 - a. **A DUNS number is required during the application process:** A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point-of-contact information, and registration is required only once. The DUNS number will be used throughout the grant life cycle. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at <https://fedgov.dnb.com/webform>.
 - b. **System for Award Management (formerly Central Contractor Registration [CCR]):** The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). SAM is a Federal Government-owned and operated free web site that consolidates the capabilities in CCR/FedReg, ORCA, and EPLS. Future phases of SAM will add the capabilities of other systems used in Federal procurement and awards processes. If you had an active record in CCR, you have an active record in SAM. You do not need to do anything in SAM at this time, unless a change in your business circumstances requires updates to your Entity record(s) in order for you to be paid or to receive an award or you need to renew your Entity(s) prior to its expiration. SAM will send notifications to the registered user via email 60, 30, and 15 days prior to expiration of the Entity. To update or renew your Entity records(s) in SAM you will need to create a SAM User Account and link it to your migrated Entity records. You do not need a user account to search for registered entities in SAM by typing the DUNS number or business name into the search box. <https://www.sam.gov/portal/public/SAM/>. The details of recipient obligations are posted on the US Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm>
 - c. **South Carolina State Vendor Number:** To ensure that your agency is registered with the state, in order to receive reimbursement for grant-eligible expenses, an agency or entity will need to go to the following link and register to obtain a SC State Vendor number. <http://www.mmo.sc.gov/PS/vendor/PS-vendor-registration.phtm>. This information should be sent with the first Request for Reimbursement to the person listed on the cover letter in your award packet.
23. **Federal Funding Accountability and Transparency Act of 2006 (FFATA):** All recipients of awards of \$25,000 or more, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any awards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipients. Further information is available in <https://www.gpo.gov/fdsys/pkg/PLAW-109publ282/pdf/PLAW-109publ282.pdf>
24. **Certifications Regarding Lobbying; Debarment, Suspension And Other Responsibility Matters; And Drug-Free Workplace Requirements:** Applicants should refer to the regulations cited below to determine the certification to which

they are required to attest. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Non-procurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

- a. **Lobbying:** As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:
 - A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the 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;
 - B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
 - C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subgrantees shall certify and disclose accordingly.
- b. **Debarment, Suspension, And Other Responsibility Matters (Direct Recipient)** Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements the applicant certifies that it and its principals:
 - A. 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 or agency;
 - B. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - C. Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.
 - D. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local); and
 - E. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
 - F. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
- c. **Federal Taxes**
 - A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to USDOJ OJP at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from USDOJ OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.
 - B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
- d. **Drug-Free Workplace**
 - A. As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:
 - B. The applicant certifies that it will or will continue to provide a drug-free workplace by:
 1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 2. Establishing an on-going drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and

d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement

4. Notifying the employee in the statement required by B1 that, as a condition of employment under the grant, the employee will

a. Abide by the terms of the statement; and

b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

C. Notifying the agency, in writing, within 10 calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, Attn: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

D. Taking one of the following actions, within 30 calendar days of receiving notice, with respect to any employee who is so convicted;

E. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

F. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of practices outlined in this section.

e. **Restriction on State Lobbying:** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with federal funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

25. **Unallowable Vendors:** Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of USDOJ.

26. **Required Reporting for Misconduct:** The recipient must promptly refer to the USDOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant 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 grant funds. This condition also applies to any subgrantees. 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 USDOJ OIG website at www.usdoj.gov/oig.

27. **Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters:** No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

a. In accepting this award, the subgrantee represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute

agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency. If the subgrantee does, or is authorized to, make subawards or contracts under this award it represents that:

1. it has determined that no other entity that the subgrantee's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) that either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
2. it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

c. it certifies that, if it learns or is notified that any contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

28. **Bonding:** It is strongly recommended that all officials identified on this grant who have authority to obligate, expend, or approve expenditures be bonded for an amount no less than the total amount of the grant, including match.
29. **Non-Supplanting Agreement:** The subgrantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action should be filled within 30 days. If the vacancy is not filled within 30 days, the subgrantee should contact the SFA for guidance of how to proceed.
30. **Project Implementation:** The subgrantee agrees to implement this project within 90 days following the grant award effective date or possibly be subject to automatic cancellation of the grant. Evidence of project implementation must be detailed in the first progress report.
31. **Written Approval of Changes:** Any changes to this subgrant that are mutually agreed upon by the applicant and the SFA must be approved in writing by the SFA prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved subgrant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application. Any change to an application is considered a revision and must be accomplished on the grants management system.
32. **Budget Revision Requirements:** Changes to an application before or after award is considered a revision, and is required under Written Approval of Changes with some very specific exceptions. The major budget categories are: Personnel, Contractual Services, Travel, Equipment, and Other. A budget revision will not be required if:
 - a. The expended amount in a major budget category does not exceed the amount budgeted for that major budget category by 10%;
 - b. The quantity of Personnel or Equipment does not increase;
 - c. The item to be purchased is already included in the grant budget.

Final grant revisions are requested to be submitted by the 60th day before the close of the project year listed on the grant award documents. Revisions submitted after this date must have thorough justification as to why the revision is needed for the success of the project and why the revision was not accomplished earlier. Revisions must be completed online through the grants management system. Every change made to the original application or subsequent revisions is considered a revision and will require you to create and justify that revision.

33. **Contract Approval Requirements:** The subgrantee must receive approval of all contract agreements for services and products from the SFA **prior to execution**. The standard Accounting-Grants contract must be used and no changes can be made to the actual contract form. A copy of the contract is located on the SFA website <http://www.scdps.gov/ohsjp/oag.asp>. The contract will require review and approval by appropriate staff. Every contract will identify by name all researchers, agents, or vendors providing the service or product stipulated. If written approval of the contract is given, an executed copy of the contract must be submitted to the SFA prior to payment or within 30 days of signature, whichever comes first.
34. **Individual Consultants:** Billing for consultants who are individuals must include at a minimum: a description of services; dates of services; number of hours services are performed; rate charged for services; and the total cost of services performed. Individual consultant costs must be within the prevailing rates as required by the federal oversight agency. The current federally-approved rate must not exceed \$650.00 per day or \$81.25 per hour.
35. **Dual Employment Compensation:** Dual employment compensation must be approved by the SFA prior to contracting with consultants. An appropriate dual employment compensation form must be completed and submitted to the SFA.
36. **Sole Source Procurement:** Use of sole source procurement is strongly discouraged. Sole source purchases will be awarded only under exceptional circumstances and must follow precisely the procedure set forth in the South Carolina Consolidated Procurement Code. All sole source purchases will require the explicit prior written approval of the SFA.
37. **Bidding Requirements:** The subgrantee must comply with proper competitive bidding procedures as required by 2 CFR 200. On any items, including those bid in the aggregate whose total cost requires a bid, bids must be submitted to the SFA for review and approval prior to acceptance of any quote/bid. Provide a copy of all bids submitted, the bid selected, and the criteria used for selection. If other than the low bid was selected, provide justification. This includes state agencies. Note that approved, budgeted items purchased through State Purchasing (General Services) under a state contract also

must be submitted to the SFA for prior approval. Include the state contract number and the contract ending date on the quote when it is submitted for approval and then the invoice when it is submitted with the Request for Payment.

- a. **Purchases \$2,500 and less:** Purchases not exceeding \$2,500 may be accomplished without securing competitive quotations if the prices are considered fair and reasonable. Subgrantee grant budget items equal to or less than \$2,500 will be evaluated by SFA Programmatic and Accounting-Grants staff at the time of grant budget approval or revision.
 - b. **Purchases from \$2,500.01 to \$10,000:** On any item, including those bid in the aggregate whose total cost is between \$2,500.01 and \$10,000, written solicitation of written bids/quotes from a minimum of three qualified sources of supply must be made. The award shall be made to the lowest responsive and responsible source. Bid specs, choice of vendor, and other support documentation must be submitted to the SFA for approval prior to any obligation of grant funds.
 - c. **Purchases from \$10,000.01 to \$50,000:** Requires bid specification that must be submitted to the SFA prior to solicitation of written quotes, bids, or proposals. Also requires solicitation of written quotes, bids, or proposals that must be advertised at least once in the SC Business Opportunities publication or through a means of central electronic advertising. Award must be made to the lowest responsive and responsible source or when a Request for Proposal is used, the highest ranking offer. Submit to the SFA for approval prior to obligation of grant funds.
 - d. **Purchases more than \$50,000.** Please contact Accounting - Grants Program staff for guidance prior to any obligation of grant funds at this level.
38. **Electronic Systems and Computers:** The subgrantee understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
39. **Furniture Purchase Requirements (For State Agencies Only):** The SFA requires that furniture funded by the grant (both grantor and match) be purchased through the South Carolina Department of Corrections, Prison Industries (PI) Program. The subgrantee may purchase grant-funded furniture through another vendor only if, (a) PI is unable to guarantee delivery within eight (8) weeks of the placement of the order, or (b) the subgrantee receives a bid for furniture of equal or higher specifications for less than the PI cost. If (a) or (b) is utilized, the Project Director or Authorized Official must certify this process. The certification must accompany the Request for Payment for the applicable items. The subgrantee may contact a customer services representative at PI at 1-800-922-8121.
40. **Personnel:** All individuals hired for grant-funded positions and those individuals hired to replace employees moved to grant-funded positions must be identified in writing. This and any changes to grant-funded personnel must be submitted within 30 days from the date of hire, or the date the change occurs. All Requests for Payment (RFP) must include timesheets for grant-funded personnel. Payment will not be processed without submission of timesheets. Agency timesheets may be used, or a timesheet can be provided by the SFA upon request. The timesheets must include the time period requested for reimbursement. Personnel partially-funded must keep daily time and activity sheets. These time sheets must show the amount of time spent on each activity. These records must be available for review when a monitoring visit is made by the SFA staff.
41. **Travel Costs:** Personnel and Travel costs must be consistent with the agency's policies and procedures and must be applied uniformly to all activities and personnel of the agency, regardless of the source funding. If travel costs are included in the grant application, a copy of the agency's policies and procedures manual, or the agency Board's signed minutes must be submitted with the application, specifically outlining mileage and per diem rates of reimbursement. However, reimbursable amounts for mileage and per diem must not exceed the amount approved by state guidelines, regardless of the agency's policy. Lodging costs must not exceed the federal rate established by the General Services Administration (GSA). These rates vary by location and season and are updated annually at www.gsa.gov. Attendees will only be reimbursed up to the maximum allowable rate of the GSA, excluding taxes and surcharges.
42. **Training Approval:** All training that grant-funded personnel wish to attend that will be paid for with grant funds, including registration, lodging, meals, or mileage, must receive prior written approval by submitting the training approval form with an attached copy of the agenda to the SFA.
43. **Eligibility for Employment in the United States:** Subgrantees must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used to verify that persons employed by the subgrantee, are eligible to work in the United States.
44. **Rental Cost:** The SFA will only pay the grant portion of rental costs. Grant participation in mortgage payments is unallowable. Prior to final approval of rental costs, a copy of the lease agreement must be provided to the SFA as well as the total square footage included in the rental agreement and the amount of square footage requested to be funded under this grant. The subgrantee must request approval, in writing, when the total rental space requirement, including space for files, conference, mail, supply, reproduction and storage rooms, is in excess of 150 square feet per employee. Space required for intermittent and/or part-time employees may be included in the space requirement; and/or the rental charge may not exceed \$16 per square foot per month. The subgrantee must certify in writing that the requested rental charge is consistent with the prevailing rates in the local area and shall maintain documentation in its files to support such a determination.
45. **Obligation of Grant Funds:** Grant funds may not, without advance written approval by the SFA, be obligated prior to the effective date of award or approved revision. No obligations are allowed after the end of the grant period, and the final request for payment must be submitted no later than 45 calendar days after the end of the grant period.
46. **Utilization and Payment of Grant Funds:** Funds awarded are to be expended only for purposes and activities covered by the subgrantee's approved project plan and budget or subsequent approved revisions. Items must be specifically and individually mentioned in the subgrantee's approved grant budget in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Claims for reimbursement must be submitted no more frequently than once per month and no less frequently than once per quarter. Grants failing to meet this requirement, without prior written approval, are subject to cancellation. Claims for reimbursement must be fully documented and substantiated as detailed in the Request for Payment Instructions.
47. **Recording and Documentation of Receipts and Expenditures:** Subgrantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets,

liabilities, expenditures, and program income. Controls must be established which are adequate to ensure that expenditures charged to the subgrant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property, and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc. The accounting system must ensure that agency funds are not co-mingled with other funds from other federal agencies. Each award must be accounted for separately. Subgrantees are prohibited from co-mingling funds on either a program-by-program basis or a project-by-project basis. Funds specifically budgeted and/or received for one grant may not be used to support another.

48. **Financial Responsibility:** The financial responsibility of subgrantees must be such that the subgrantee can properly discharge the public trust which accompanies the authority to expend public funds. At a minimum, adequate accounting systems should meet the following criteria:
- a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.
 - b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.
 - c. The accounting system should provide accurate and current financial reporting information.
 - d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
49. **Reports:** The subgrantee shall submit, at such times and in such form as may be prescribed, such reports as the SFA may reasonably require, including quarterly financial reports, progress reports, final financial reports, and evaluation reports.
50. **Program Income:** All program income generated by this grant during the project must be reported to the SFA quarterly (on the quarterly fiscal report) and must be put back into the project or be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval from the SFA.
51. **Cash Depositories:** Subgrantees are required to deposit grant funds in a federally insured banking institution, and the balance exceeding insurance coverage must be collaterally secured.
52. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim, or audit is started before the expiration of the three-year period, then records must be retained for three years after the litigation, claim, or audit is resolved.
53. **Property Control:** Effective control and accountability must be maintained for all personal property. Subgrantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Subgrantees should exercise caution in the use, maintenance, protection, and preservation of such property.
- a. Title: Subject to the obligations and conditions set forth in 2 CFR 200.313, and 2 CFR 439 title to non-expendable property acquired in whole or in part with grant funds shall be vested in the subgrantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.
 - b. Property Control Record Form: At the time the final request for payment is submitted, the subgrantee must file with the SFA a copy of the Property Control Record Form (provided by the SFA) listing all such property acquired with grant funds. The subgrantee agrees to be subject to a biennial audit by the SFA and/or its duly authorized representatives for verification of the information contained in the Property Control Record Form.
 - c. Use and Disposition: Equipment shall be used by the subgrantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. When use of the property for project activities is discontinued, the subgrantee shall request, in writing, disposition instructions from the SFA prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to the SFA immediately.
54. **Performance:** This grant may be terminated or fund payments discontinued by the SFA where it finds a substantial failure to comply with the provisions of the Act governing these funds or regulations promulgated, including those grant conditions or other obligations established by the SFA. In the event the subgrantee fails to perform the services described herein and has previously received financial assistance from the SFA, the subgrantee shall reimburse the SFA the full amount of the payments made. However, if the services described herein are partially performed, and the subgrantee has previously received financial assistance, the subgrantee shall proportionally reimburse the SFA for payments made.
55. **Deobligation of Grant Funds:** All grants must be deobligated within forty-five (45) calendar days of the end of the grant period. Failure to deobligate the grant in a timely manner will result in an automatic deobligation of the grant by the SFA.
56. **Project Evaluation Report:** Any formal evaluation report must be received by the SFA not later than 45 days after the end of the reporting period.
57. **Copyright:** Except as otherwise provided in the terms and conditions of this grant, the subgrantee or a contractor paid through this grant is free to copyright any books, publications or other copyrightable materials developed in the course of or under this grant. However, the federal awarding agency and/or SFA reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, for federal government and/or SFA purposes:
- a. the copyright in any work developed under this grant or through a contract under this grant; and,
 - b. any rights of copyright to which a subgrantee or subcontractor purchases ownership with grant support. The federal government's rights and/or the SFA's rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.

58. **Publications:** The subgrantee agrees that any publication (written, visual, or sound) issued by the subgrantee describing programs or projects funded in whole or in part with federal funds, shall contain the following disclaimer statement:

"This project was supported by Federal Formula Grant # _____, (refer to the Grant Award for the Federal Formula Grant Number which can be found immediately after the CFDA No.) awarded by the Bureau of Justice Assistance, U.S. Department of Justice through the SFA. The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program offices and bureaus: Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U. S. Department of Justice."

The subgrantee should contact the Program Coordinator listed as responsible for the award funds to ensure the information in the disclaimer is correct. The subgrantee also agrees that one copy of any such publications will be submitted to the SFA to be placed on file and distributed as appropriate to other potential subgrantees or interested parties.

59. **Closed-Captioning of Public Service Announcements:** Any television public service announcement that is produced or funded in whole or in part by any agency or instrumentality of the Federal Government shall include closed captioning of the verbal content of such announcement.
60. **Public Awareness:** All public awareness/education materials developed as a part of this grant program are to be submitted in draft to the SFA for written approval prior to final production and/or distribution. Equipment, supplies, and other grant-funded materials shall not display the names of elected, appointed, or other public officials.
61. **Political Activity:** None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
62. **Confidential Information:** Any reports, information, data, etc., given to, or prepared, or assembled by the subgrantee under this grant which the SFA requests to be kept confidential shall not be made available to any individual or organization by the subgrantee without prior written approval of the SFA.
63. **Disclosure of Federal Participation:** In compliance with Section 623 of Public Law 102-141, the subgrantee agrees that no amount of this award shall be used to finance the acquisition of goods and services for the Project to apply to a procurement for goods or services that has an aggregate value of \$500,000 or more unless the subgrantee:
- a. specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved, the amount of Federal funds that will be used to finance the acquisition; and,
 - b. expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.
64. **Official Authorized to Sign:** In the case of a city/county/state entity, the person designated as the Official Authorized to Sign must be a designated official or head for the entity applying for the funds. For further clarification, contact the person listed on the cover letter of the original grant award packet.
65. **Grants Financial Guide:** The subgrantee agrees to comply with the USDOJ Grants Financial Guide as posted on the USDOJ, Office of Justice Programs website.
66. **Fiscal Regulations:** The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by the SFA Guidelines or "Special Conditions" placed on the grant award.
67. **Compliance Agreement:** The subgrantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by the SFA. Failure to comply could result in a "Stop Payment" being placed on the grant.
68. **Suspension or Termination of Funding:** The SFA may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a subgrantee for any of the following reasons:
- a. Failure to comply substantially with the requirements or statutory objectives of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Block Grants Program Guidelines issued thereunder or other provisions of Federal Law as they pertain to the specific funding used for the project.
 - b. Failure to adhere to the requirements, standard conditions, or special conditions. Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.
 - c. Failure to submit reports.
 - d. Filing a false certification in this application or other reports or documents.
 - e. Other good cause shown.

Certification by Project Director

CERTIFICATION BY PROJECT DIRECTOR *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the fiscal terms and conditions of this grant application; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

Prefix: Captain

Name: Jackie F. Kellett

Suffix:

Title: Forensic Division Manager - Laboratory Director

Agency: Greenville County Department of Public Safety Forensic Division

Mailing Address: 20 McGee Street

City: Greenville

State: SC

9 Digit Zip: 29601-2256

(Area) Phone Number: (864) 467-5398

(Area) Fax Number: (864) 467-5131

E-Mail Address: jkellett@greenvillecounty.org

Signature:

Bonded: yes no

Certification by Financial Officer

CERTIFICATION BY FINANCIAL OFFICER *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Financial Officer as they relate to the fiscal terms and conditions of this grant application; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

Prefix: Mr.

Name: John F. Hansley

Suffix:

Title: Deputy County Administrator

Agency: Greenville County Government

Mailing Address: 301 University Ridge, Suite 200

City: Greenville

State: SC

9 Digit Zip: 20601-3636

(Area) Phone Number: (864) 467-7021

(Area) Fax Number: (864) 467-7049

E-Mail Address: jhansley@greenvillecounty.org

Signature:

Bonded: yes no

Certification by Official Authorized to Sign

CERTIFICATION BY OFFICIAL AUTHORIZED TO SIGN *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; that costs incurred prior to grant approval may result in expenses being absorbed by the subgrantee; and, that the receipt of grantor funds through the State Funding Agency will not supplant state or local funds.

The Omnibus Appropriations Act of 1996 requires that subgrantees provide assurance that subgrant funds will not be used to supplant or replace local or state funds or other resources that would have otherwise been available for law enforcement and/or criminal justice activities. In compliance with that mandate, I certify that the receipt of federal funds through the State Funding Agency shall in no way supplant or replace state or local funds or other resources that would have been made available for law enforcement and/or criminal justice activities.

Prefix: Mr.

Name: Joe M. Kernell

Suffix:

Title: Greenville County Administrator

Agency: Greenville County Government

Mailing Address: 301 University Ridge, Suite 2400

City: Greenville

State: SC

9 Digit Zip: 29601-7105

(Area) Phone Number: (864) 467-7105

(Area) Fax Number: (864) 467-7151

E-Mail Address: jkernell@greenvillecounty.org

Signature:

Bonded: yes no

* **NOTE:** THE PROJECT DIRECTOR, FINANCIAL OFFICER AND OFFICIAL AUTHORIZED TO SIGN CANNOT NOT BE THE SAME PERSON. STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS WITHOUT SFA APPROVAL.