

Subgrant Special Conditions

Distribution:
Original to Commission
One copy to Subgrantee

Subgrantee: Lancaster County	Subgrant Number: 17-JS-0424
Subgrant Title: Back on Track	

This contract is subject to the standard conditions agreed to in the original application and the signed Certified Assurances. In addition, the subgrantee must comply with the Office of Justice Programs "Financial and Administrative Guide for Grants" (OJP M 7100.1C), Federal Program Guidelines, and the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

1. **Records Retention**

The Commission shall have access to all project related materials for the purposes of audit and examinations. All records shall be retained for five (5) years from the date of the final fiscal report, unless an audit is in progress or the findings of a completed audit have not been resolved satisfactorily;

2. **Audits**

- a) All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with Circular A-133;
- b) Agencies and organizations receiving federal funds from various sources totaling \$500,000 or more during the Subgrantees Fiscal Year are required to have an annual audit. Total cost of the audit must be prorated among funding sources. Agencies and organizations receiving federal funds from various sources totaling less than \$500,000 during their Fiscal Year are not required to have an annual audit. However, a complete agency audit complying with the Single Audit Act of 1984, as amended, is highly recommended once every three years for private non-profit agencies receiving funding from the Crime Commission;
- c) **One (1) copy** of the audit that includes a **Letter of Findings** are **required** to be submitted to the Crime Commission, if they are not part of the audit;

3. **Accounting Procedures**

- a) Awarded applicants shall implement and maintain an accounting system which accurately reflects income received, expenditures, and documentation of expenditures. Each source of income must be accounted for separately and a clear audit trail for each source of funding must be maintained. Matching funds need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full match share must be obligated by the end of the project period. Accounting records are to be available for monitors and audits;
- b) If at any time an impropriety is found in the accounting or use of any funds received by the subgrantee, the Crime Commission must be notified immediately and informed about how the agency will address the problem;
- c) All subgrantee's receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment. New subgrantee's must complete paperwork to sign up for ACH payment and can find the form at <http://www.hhs.state.ne.us/forms/EFT.pdf> This must be completed before funds can be received;

4. **Acceptance of Grant Award and Special Conditions**

- a) **Grant Award** must be accepted; signed by the subgrantee's authorized official, the director of the project, and the fiscal officer; and, returned to the Crime Commission within thirty (30) days from the date of the letter;
- b) **Special Conditions** must be accepted; signed by the subgrantee's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date of the letter;
- c) **Contingencies** must be met within thirty (30) days of the date of the letter as required for the award as stated on the Summary Comment Sheet. Grant funds will not be released until all contingencies are addressed;

5. **Reporting Requirements**

- a) **Grant Activity Summary Reports** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period;
- b) **Cash Report/Cash Requests** are required **quarterly** even if no grant funds received or expenses are incurred. Reports are due by the 15th of the month following the end of each quarter during the grant period as well as the final ACash Report@ reflecting the total grant expenditures at the end of the grant period. Final cash report must be submitted within forty-five (45) days from the end date of the grant;
- c) **Regardless of the start date of the grant project**, quarterly reports are due for normal quarters as listed below
Jan – March: **Due April 15th** July – Sept: **Due October 15th**
April – June: **Due July 15th** Oct – Dec: **Due January 15th**
When the 15th falls on a holiday, Saturday or Sunday, all reports are due the prior working day.
- d) **Subgrant Adjustment:** Subgrantees must submit a subgrant adjustment request to the Crime Commission when any of the following has or will occur: the focus of the funded project changes, there is a change in the start or end date of the funded project, a new project director or fiscal officer is named for the awarded project, or a transfer of dollars between categories is needed which affects awarded dollars and any matching dollars. No budget revisions (awarded or matching dollars) are to be made by the subgrantee receiving funds without prior approval from the administrator unless otherwise provided by law;
- e) **Federal and matching funds** are to be used for the purpose stated in the approved grant application. Any changes must be approved by the Crime Commission grant administrator prior to the change taking place through submission of a Subgrant Adjustment Request;

6. **Match**

The Subgrantee must insure any required match is met and that match is documented before the end of the project period. Match, both cash or in-kind, must be documented in the agency's accounting system;

7. **Time Records**

The subgrantee will maintain time records that comply with the Office of Management and Budget (OMB) A-87 Circular to clearly document the hourly activity of each grant funded or match funded position to show the actual percentage of time charged to the funding source. Records will be maintained by the subgrantee to document any differences between budgeted and actual federal and match personnel grant costs. Timesheets for grant funded positions should include the signature of the employee and their supervisor. Volunteer positions used as match are to be documented and supported by the same method used for employees. Refer on OMB circulars: <http://www.whitehouse.gov/omb/circulars/>

8. **Mandatory Training**

The subgrantee project director and/or fiscal officer or a designated representative must attend the Grant Management Training sponsored by the Crime Commission. At least one Board member of a Private Non-profit agency receiving grant funds from the Crime Commission must also attend Grant Management Training;

9. **Publicity**

Any publicity of this project will include an acknowledgement of funding by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission). A copy of such publicity shall be sent to the Crime Commission. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal or State money, all grantees receiving funds shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal or State money, and (2) the dollar amount of Federal or State funds for the project or program;

10. **Publications**

The subgrantee agrees that any publication (written, visual or audio, **excluding** press releases, newsletters and issue analysis) issued by the subgrantee describing programs or projects funded in whole or in part with Federal or State funds, shall contain the following statement: "This project was supported by Grant # _____ awarded by the Nebraska Crime Commission. 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 Commission." Two copies of any such publication are to be submitted to the Crime Commission;

11. **Non-Discrimination**

- a) The Subgrantee assures it and all its contractors will comply with all applicable nondiscrimination requirements as set forth by federal and state laws. No person shall be excluded from participation in, denied the benefits of, subjected to

discrimination under, or be denied employment in connection with any activities receiving funds under the Act on the basis of race, color, religion, age, sex, national origin, or handicap;

- b) In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing, the recipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings are to also be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301 et. seq.;
- c) Grantees whose projects, personnel, or subgrantees become involved in any litigation, whether civil or criminal, shall immediately notify the Crime Commission and forward a copy of any demand notices, lawsuits, or indictments to the Commission;

12. **Limited English Proficiency Plan**

The subgrantee must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subgrantees receiving Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For information on the civil right responsibilities, see <http://www.lep.gov>;

13. **Federal Government De-bar**

If at any time during the grant period the subgrantee is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing within 30 days;

14. **Drug-Free Workplace**

All agencies who are participants in the awarded project shall establish and maintain a drug-free work place policy; and,

15. **Private Non-profit Agency Board Responsibilities**

Two (2) board members of private non-profit agencies awarded funds shall review, on a quarterly basis, all expenditures for the agency. This review shall include, but is not limited to, checks written for the period, deposits, assurance of a balanced checkbook, review of the entries in the agency=s ledgers, and review of the income received from funding agencies and donations.

16. **Fraudulent Use of Funds**

The subrecipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor or other person has either 1) submitted a false claim for 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. Potential fraud, waste, abuse or misconduct should be reported. In addition, the subgrantee must notify the Nebraska Crime Commission. For more information: www.usdoj.gov/org;

17. **Required Compliance**

The subrecipient agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide and Nebraska Crime Commission) guidance and clarifications;

Funding/Program Specific Conditions

I have read the above Special Conditions and understand they are part of the binding Grant Award. I acknowledge failure to satisfactorily meet all conditions of the grant and/or submit required documents may result in suspension or termination of the grant award.

Signature of Authorized Official _____ Date _____

Note: The Authorized Official is the Mayor, Chair of County Board or City Council or the Board Chair of a Private Non-profit Agency. The Director of the Agency is NOT considered the authorized official for the signing of these Special Conditions.

Signature of Project Director Brian Steiner _____ Date 7-13-17

Signature of Project Coordinator Nikki Johnson _____ Date 7/13/17

Signature of Fiscal Officer Shonda Ryan _____ Date 7-11-17