

**Nebraska Commission
on Law Enforcement
and Criminal Justice**

**Federal Grant
Award**

Subgrantee: Lancaster County 18-JJ-0001	Federal Grant Number: 2018-JX-FX-K055 Federal Grant Period: 10/1/2018-9/30/2021 Department: Department of Justice Federal Program Juvenile Justice and Delinquency Prevention-Allocation to States	Date of Award 03/13/2019 NCC Program Contact: Kellie Rabenhorst, Chief VA Division 402-471-2266 kellie.rabenhorst@nebraska.gov	CFDA # 16.540
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Project Title: FY 18 Addressing Training Needs for Juvenile Prosecutors	Grant Amount: Federal \$ 196,453 Match \$ 15,000 Total \$ 211,453
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Approved Budget for Project

CATEGORY	FEDERAL SHARE	MATCH SHARE	TOTAL PROJECT COST
Personnel	\$0.00	\$0.00	\$0.00
Consultants/Contracts	\$95,674	\$0.00	\$0.00
Travel	\$94,982	\$15,000	\$109,982
Supplies/Operating/Expenses	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Indirect Costs	\$5,797	\$0.00	\$0.00
Total Amount	\$196,453	\$15,000	\$211,453

This award is subject to the General and Fiscal Conditions established by the Nebraska Commission on Law Enforcement and Criminal Justice and to the special conditions enclosed with this award as indicated below.

The grant period will be from 3/13/2019 09/30/2021 except as authorized by the Commission. To be a valid grant, this Grant Award must be signed and returned to the Commission within 30 days of receipt.

The subgrantee hereby attests and affirms that the required cash match will be designated, appropriated, and expended for the project within the duration of the Grant period.

This award is subject to special conditions (enclosed).

Don Arp, Jr.
Signature of Executive Director or Representative

Sara Hoyle
Signature of Project Point of Contact
Sara Hoyle, Director

Don Arp, Jr, Executive Director 3-26-2019
Typed Name and Title Date

Dennis Meyer 3-27-19
Typed Name and Title Date

Signature of Authorized Official
(Mayor, County Board Chairman, Chair of Non-profit Board etc.)
Jennifer Brinkman, Board Chair
Typed Name and Title Date

Signature of Financial Point of Contact
(County Treasurer, City Clerk, etc.)
Dennis Meyer, Fiscal Director
Typed Name and Title Date

Subgrant Special Conditions – Program

Distribution:
*Original to Nebraska
 Commission on Law
 Enforcement and
 Criminal Justice*

Subgrantee: Lancaster County.	Subgrant Number: 18-JJ-0001
CFDA 16.540 Juvenile Justice and Delinquency Prevention- Allocation to States 2018-JX-FX-K055 Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention	Subgrant Title: FY 18 Addressing Training Needs for Juvenile Prosecutors

This contract is subject to the standard conditions outlined in the applicable solicitation, grant application and the signed Certified Assurances. In addition, the subrecipient must comply with Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

The subrecipient must comply with the financial and administrative requirements set forth in the 2017 Department of Justice (DOJ) Financial Guide, including any updated versions that may be posted during the period of performance. The financial Guide supersedes the following OMB requirements; OMB Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133 and sections of OMB Circular A-50. The DOJ Financial Guide can be accessed through the following link:

https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

1. All subawards ("subgrants") must have specific federal authorization.

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that—for purposes of federal grants administrative requirements—OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm>. (Award condition: Award Condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

2. Audits: All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with the DOJ Financial Guide:

Agencies and organizations receiving federal funds from various sources totaling \$750,000 or more during their 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 \$750,000 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.

ONE Copy of the audit that includes a **Letter of Findings** is required to be submitted to the Crime Commission, if they are not part of the audit.

Authorized representatives of the Crime Commission and the federal agencies associated with the federal funding source shall have access to and the right to examine all records, books, papers or documents related to this grant for the purpose 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.

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3. Acceptance of Grant Award and Special Conditions

- a. **Grant Award** must be accepted; signed by the subrecipient'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 the Grant Award is mailed to the subrecipient.
- b. **Special Conditions** must be accepted, signed by the subrecipient's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date the Special Conditions are mailed to the subrecipient.
- c. Subrecipient 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). The subrecipient must maintain a Data Universal Numbering System (DUNS) number.
- d. Subrecipients receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment. New subrecipients must complete paperwork to sign up for ACH payment and can find the form at http://das.nebraska.gov/accounting/forms_new.html

5. Accounting Procedures:

- a. Subrecipients must adhere to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted by the DOJ and supplemented in 2 C.F.R. Part 2800. See: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl for further information regarding the standards of these requirements.
- b. Subrecipient 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.
- c. Any award with matching funds, both cash or in-kind, must document match in the agency's accounting system. Match need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full matching share must be obligated by the end of the project period.
- d. A private non-profit agency awarded funds shall have two (2) members of the Board of Directors review, on a quarterly basis, all expenditures for the agency. Board minutes shall reflect this review.
- e. If at any time an impropriety is found in the accounting or use of any funds received by the subrecipient, the Crime Commission must be notified immediately and informed about how the agency will address the problem.
- f. Subrecipients will maintain time records that comply with the DOJ Financial Guide 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 subrecipient to document any differences between budgeted and actual federal and match personnel grant costs. Timesheets for grant devoted positions should include the signature of the employee and their supervisor. For positions that are funded fully by the federal grant a Bi-Annual Certification will also be required. Volunteer positions used as match are to be documented and, to the extent feasible, supported by the same methods used for employees. Please refer to the following website for further details on the guidelines on accounting for personnel and other cost principles: https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf
- g. Office of Justice Program Financial Guidelines and Federal and/or State guidelines must be followed for the purchase of equipment and or services and for the property management or disposal of

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equipment purchased with Federal funds. Property records for equipment purchased must be maintained which include a description, serial number, source, title holder, acquisition date, cost, percentage of federal dollars funded, location, and use and condition of the equipment. Subrecipients must adhere to written procurement procedures. If the agency does not have these they should defer to the State's procurement guidelines located at:

http://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/AgencyProcurementManualForServices.pdf

- h. Subrecipients agree that all income generated as a direct result of this award shall be deemed program income. All program income earned must be accounted for and used for the purposes of funds provided under this award, including such use being consistent with the conditions of the award, the effective edition of the DOJ Financial Guide. Prior approval must be granted by the Nebraska Crime Commission prior to generating program income.
- i. A recipient that is eligible under the Part 200 Uniform Requirements to use the de Minimis indirect cost rate, must advise the Crime Commission 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.

6. Reporting Requirements:

- a. **Cash Report/Cash Requests** are required **quarterly**, unless the program has elected to submit monthly. Quarterly reports are due by the last working day of the month following the end of each quarter; monthly reports are due by the 15th of the following month. Grant payments are on a reimbursement basis. Reimbursement cannot be made until financial documentation from the subrecipient has been approved by the Crime Commission as outlined in the Monitoring Plan for the agency based on the Operational Assessment Tool. The final Cash Report reflecting the total grant expenditures and amount reimbursed is due no later than 45 days from the end of the grant period.
- b. To assure that expenditures are proper and in accordance with the terms and conditions of the award and approved project budget, Cash Reports/Cash Requests under this award must be signed by an official who is authorized to legally bind the entity and to certify to the best of their knowledge and belief that the report is true, complete and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms of conditions of the award.
- c. **Regardless of the start date of the grant project**, quarterly reports (Cash Report and grant activity reports) are due for normal quarters as listed:
 - Jan. – March (due last working day of April)
 - April – June (due last working day of July)
 - July – Sept. (due last working day of Oct.)
 - Oct. – Dec. (due last working day of Jan.)
- d. Subrecipients are required to submit quarterly performance reports to Nebraska Crime Commission as determined by the OJJDP Performance Metrics Tool (PMT). Additional narrative reports will be due bi-annually for the purposes of narrative reporting requirements on the federal grant.

7. Use of Federal Grant Funds

- a. 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; 3) require any employee or contractor to sign an internal confidentiality agreement that prohibits or restricts from reporting fraud, waste or abuse. Potential fraud, waste, abuse or misconduct should be reported. In

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addition, the subrecipient must notify the Crime Commission. For more information on how to submit a claim go to:

http://www.justice.gov/sites/default/files/civil/legacy/2011/04/22/C-FRAUDS_FCA_Primer.pdf

- b. Federal grant funds will not be used to deliberately supplant State, local or any other funds that would otherwise be available. The agency's budget cannot decrease as a result of grant dollars. If an existing employee is assigned to this project and their salary is paid with grant funds, his or her position must be backfilled. The agency's personnel cannot decrease as a result of this grant project.
- c. No State/Federal grant funds shall be used for costs existing prior to or after the grant period.
- d. 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 prior to the change taking place.
- e. Federal funds cannot be used for lobbying. If matching funds are used for lobbying, a disclosure report shall be submitted to the Crime Commission.
- f. No other Federal funds shall be used to meet the match obligated.
- g. No Federal funds will be used for land acquisition.
- h. All subrecipient awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321) and other Federal laws (including the National Historic Preservation Act), if applicable. Activities that may trigger these requirements include renovation or construction projects funded by Federal awards. (see 28 C.F.R. Part 61, App. D)
- i. No Federal funds are to be used for entertainment, fines and penalties, Visa fees, Passport charges, bar charges/Alcoholic beverages, or membership fees.
- j. Crime Commission funding cannot be placed in interest bearing accounts by private non-profit agencies.
- k. Subrecipient at any tier agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of no food and/or beverages at such events, and costs of attendance. Information on pertinent laws, regulations, policies and guidance for above section is available at: https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf
- l. The recipient, and any subrecipient at any tier, must comply with all applicable restrictions on the use of federal funds set out in the federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2018, are set out at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a suprecipient would or might fall within the scope of an appropriations-law restriction, the subrecipient is to contact Nebraska Crime Commission for guidance, and may not proceed without the express prior written approval of OJP.
- m. If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the Nebraska Crime Commission in writing of the potential duplication, and, if so requested by the awarding agency, must seek a budget-modification or change-of-project scope subgrant adjustment to eliminate any inappropriate duplication of funding.

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n. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved through the coordination of the Nebraska Crime Commission prior to obligation or expenditure of such funds.

8. Nondiscrimination/Civil Rights

- a. Subrecipient 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. For guidelines, see: http://ojp.gov/fedregister/28_CFR_42.301-308.pdf
- 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 is to be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42 et. seq.
- c. Subrecipients, whose projects, personnel or subawards 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.
- d. Subrecipient acknowledges that failure to submit an acceptable EEO (if subrecipient is required to submit one pursuant to 28 C.F.R. Section 42), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the subrecipient is in compliance.
- e. Subrecipient must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subrecipients 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 further information on the civil right responsibilities, see <http://www.lep.gov>.
- f. Subrecipient agrees to notify employees and clients, customers, and program participants of prohibited discrimination and the procedures for filing a complaint of discrimination. The subgrantee agrees to have a procedure in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subrecipient.
- g. Subrecipient assures full cooperation with the Nebraska Crime Commission in the monitoring of the subrecipient compliance with all applicable Federal Civil Rights laws. Monitoring may include submission of any required documentation, requests for information, and on-site visits.
- h. Subrecipient agrees to comply with all applicable requirements of 28 CFR Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"), 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.

The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct 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 participations in such activities by individuals receiving services from the grantee or a subgrantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment.

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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 <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

- i. Subrecipient should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. Subrecipients should consult local counsel in reviewing employment practices and if warranted, an analysis of the use of arrest and conviction records should be incorporated into the subrecipient's Equal Employment Opportunity Plan. More information on Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964 (June 2013), is available at http://ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf.
- j. The recipient, and any subrecipient ("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 the recipients, subrecipients ("subgrantees"), or individuals defined (for the purposes of this condition) as "employees" of the recipient or any subrecipient.

The details of the subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Awarded condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated and referenced here.

9. Restrictions and certifications regarding non-disclosure agreements and related matters

No subrecipient or subaward 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 to contravene requirements applicable to any form issued by a federal department or agency governing the nondisclosure of classified information.

1. Under this award if the subrecipient does or is authorized to make subawards or contracts –
 - a. it represents that –
 - 1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise 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
 - 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.
10. Subrecipient agrees to attend Grant Management Training sponsored by the Crime Commission, at a minimum of once every three years.
11. Subrecipient agrees to comply with any additional requirements that may be imposed as a result of grant performance and that the misuse of award funds may result in a range of penalties, including suspension

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of current and future funds, recoupment of money provided under an award, and civil and/or criminal penalties.

12. Suprecipient authorizes representatives of Nebraska Crime Commission, Office of Justice Programs (OJP) and/or the Office of the Chief Financial Officer (OCFO) access to and the right to examine all records, books, paper or documents related to the grant.
13. Subrecipient agrees that any deviation from the timeline provided in the application or revised grant program implementation must receive prior approval from Nebraska Crime Commission and then approval from OJJDP.
14. Subrecipient understands and agrees that if the subrecipient does not satisfactorily and promptly address outstanding issues from monitors and/or audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with monitors, audits, investigations or reviews of DOJ awards that funds may be withheld, suspended or other related requirements imposed.
15. Subrecipient agrees that any publication (written, visual, or audio) funded in whole or in part with federal or state funds shall contain the following statement: "This project was supported by subgrant No. _____ awarded by the Nebraska Crime Commission and points of view or opinions contained in this document are those of the author and do not necessarily represent the official position or policies of the Commission or the (identify source of federal funds)." 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 subrecipients 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.
16. The subrecipient shall submit to Nebraska Crime Commission a copy of all interim and final reports and proposed publications (including those prepared for conference, journals, and other presentations) resulting from this award, for review and comment by OJJDP prior to publishing. All reports and products may be required to display the OJJDP logo on the cover (or other location) with the agreement of OJJDP. OJJDP defines publications as any planned, written, visual, or sound materials substantively based on the project, formally prepared by the award recipient for dissemination to the public.
17. Any training or training materials that the recipient—or any subrecipient at any tier—develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/ojptrainingguidingprinciples.htm>
18. Subrecipient agrees to provide Nebraska Crime Commission webinar information (i.e. title, description of the webinar, intended audience, panelists, etc.) 45 days in advance of all webinar events for prior approval from OJJDP NTTAC. All webinar events must use the approved OJJDP presentation template, and record events and send a copy of the files to OJJDP.
19. Subrecipient understands and agrees that all curricula and other training and technical assistance materials developed under this award must be provided to Nebraska Crime Commission to file with OJJDP NTTAC and agrees to cooperate as directed by Nebraska Crime Commission and OJJDP with NTAAC in the implementation of coordinated delivery of technical assistance and training.
20. Subrecipient agrees to obtain advance written approval from the Crime Commission before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyright work, or portion thereof, into a new work developed under this award.
21. Subrecipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to produce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier) and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

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- a. The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish or otherwise use the data first under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data-General).
 - b. The recipient has the responsibility to obtain from subrecipients, contractors and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the Nebraska Crime Commission and not proceed with the agreement in question without further authorization from Nebraska Crime Commission and the OJP program office.
22. Subrecipient understand 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.
 23. If at any time during the grant period the subrecipient, or one or its serving Board members, is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing.
 24. All agencies who are participants in the awarded project shall establish and maintain a drug free workplace policy.
 25. Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or agreement to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the Nebraska Crime Commission.
 26. Subrecipients funded for \$25,000 or more agree to comply with applicable requirements to report the names and total compensation of the five most highly compensated executives of the subrecipient. Such data will be submitted to the Federal Funding Accountability and Transparency Act (FFATA), Subaward Reporting System (FSRS). The details of the Crime Commission obligations, which derive from the FFATA, are posted on the Office of Justice Programs web site at www.fsr.gov.
 27. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the subrecipient is encouraged 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.
 28. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000.

The subrecipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (\$150,000). This condition applies to agreements that—for the purposes of federal grant administrative requirements—OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP website at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated in reference here.

29. The subrecipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient)—1) creates, collects,

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uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

30. The subrecipient at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds or expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide.

31. Federal funds awarded by OJP may not be used by the recipient, or any subrecipient at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913.

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, Congress (or an official or employee of any of them) with respect to the awarding of a federal grant, cooperate agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352.

32. The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

33. Subrecipient must notify Nebraska Crime Commission if it is designated "high risk" by any grant-making agency, federal and non-federal at any time during the course of the period of performance for this award. The disclosure must include the following: 1. The awarding agency designating subrecipient as "high-risk", 2. The date the recipient was designated high risk, 3. The high-risk point of contact at the awarding agency and contact information and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

34. All electronic and information technology materials developed or maintained under this award must be compliant with Section 508 of the Rehabilitation Act of 1973. Please refer to www.section508.gov for more detail.

Use of OJJDP Funds

1. Subrecipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub grantees, available at <http://www.ojp.gov/funding/ojptrainingguidingprinciples.htm>.

I have read the above Special Conditions and understand they are part of the binding 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.

_____ initials of Authorized Official

Signature of Agency Director _____ Date _____

Signature of Project Director *Sam Hayle* _____ Date *3-27-19*

Signature of Fiscal Officer *[Signature]* _____ Date *3-27-19*

_____ initials of Authorized Official