



City of Grand Island

Tuesday, May 08, 2007

Council Session

Item G10

**#2007-109 - Approving 2007 High Intensity Drug Trafficking Area
(HIDTA) Grant**

Staff Contact: Steve Lamken

Council Agenda Memo

From: Captain Robert Falldorf, Police Department

Meeting: May 8, 2007

Subject: 2007 High Intensity Drug Trafficking Area (HIDTA) Grant

Item #'s: G-10

Presenter(s): Steve Lamken, Chief of Police

Background

The Grand Island Police Department is eligible to receive yearly funding from the Federal Government in the form of a High Intensity Drug Trafficking Area (HIDTA) Grant. The 2007 HIDTA award amount to the Grand Island Police Department for the Tri City Drug Task Force is \$54,892. The Grant period is from January 1, 2007 through December 31, 2008.

Discussion

The Nebraska State Patrol will again be serving as the fiduciary for the HIDTA funding to the Grand Island Police Department for the Tri City Drug Task Force. It is necessary for the City of Grand Island, through the Grand Island Police Department, to approve the contract award with the Nebraska State Patrol for the grant award in the amount of \$54,892.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

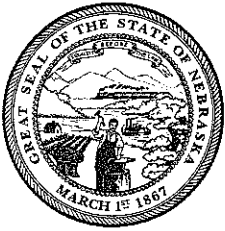
1. Approve the contract with the Nebraska State Patrol for the 2007 HIDTA funding award.
2. Send to committee for further discussion.
3. Table for more discussion.
4. Take no action.

Recommendation

City Administration recommends that the Council approve the contract with the Nebraska State Patrol for the 2007 HIDTA funding award in the amount of \$54,892.

Sample Motion

Approve the contract with the Nebraska State Patrol for the 2007 HIDTA funding award in the amount of \$54,892.



STATE OF NEBRASKA

Dave Heineman
Governor

NEBRASKA STATE PATROL
Colonel Bryan J. Tuma
Superintendent
P.O. Box 94907
Lincoln, Nebraska 68509-4907
Phone: (402) 471-4545

April 23, 2007

Chief Steven Lamken
Grand Island Police Department
131 South Locust
Grand Island, NE 68801

Dear Chief Lamken:

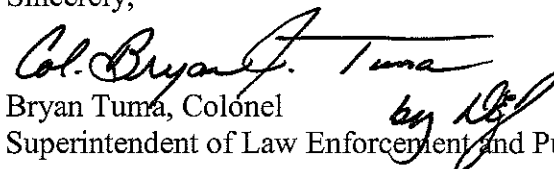
The Nebraska State Patrol will again be serving as the fiduciary for the HIDTA funding to the Grand Island Police Department for the Tri City Drug Task Force. Your contract award and the HIDTA detailed budget are enclosed. Only those expenses included in these documents are allowable. Any other expense must have approval prior to making the expenditure.

Please review the document and forward it to the appropriate individuals in your unit of local government for signature. You, as head of your agency, are the project director. The Authorized Official is the Mayor and the Fiscal Officer is your City Clerk. After the contract is fully executed, please return the original to me. Keep a copy of the award for your records.

The project dates are January 1, 2007 – December 31, 2008. All authorized expenses incurred during those dates may be claimed through previously established procedures.

Should you have questions or comments, please contact Marisue Riesenbergh at 402-479-4017. We look forward to collaborating with you on this worthwhile project.

Sincerely,


Bryan Tuma, Colonel
Superintendent of Law Enforcement and Public Safety

Enclosure



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CONTRACT AWARD

Nebraska State Patrol
P.O. Box 94907
Lincoln, NE 68509

HIDTA Initiative

CONTRACTOR: Grand Island Police Department	AWARD NO. I7PMWP634Z-8	AWARD DATE: April 19, 2007
CONTRACT TITLE: Tri-City Drug Task Force	Contract Amount: \$54,892	

CONTRACTOR'S BUDGET

COST CATEGORY	Federal Share	State/Local Share	Total Project
Travel – Investigative	\$3,720		\$3,720
Facilities – Support	\$4,800		\$4,800
Facilities – Utilities	\$12,000		\$12,000
Services – Communications mobile phones & Pager	\$900		\$900
Services – Service Contract	\$2,806		\$2,806
Services - Vehicle Lease – passenger	\$5,100		\$5,100
Supplies – Investigative/Operational	\$5,646		\$5,646
Other – PE/PI	\$19,920		\$19,920
Total	\$54,892		\$54,892
Contribution Percentage	100		

This Contract Award is subject to all current State and Federal Policies and Procedures established by the Executive Office of the President – Office of National Drug Control Policy, (ONDCP) and the Nebraska State Patrol (NSP). If applicable, this award may be subject to special conditions.

The contract period will be from 01/01/07 through 12-31-2008. The contract will become effective on the above stated date, provided the NSP has received the signed Contract Award from the Contractor. After the remaining signatures have been obtained, a copy of the Contract Award will be provided to the Contractor.

The Patrol may cancel the contract at any time for breach of contractual obligations by providing the Contractor with a written notice of cancellation. Should the Patrol exercise its right to cancel the contract for such reasons, the cancellation shall become effective on the date as specified in the notice of cancellation sent to the Contractor.

The Patrol reserves the right to make modifications, deletions, or additions to the Contract Award at any time. Modifications that change any part of the Contract Award must be made by mutual agreement of both parties.

Where modifications are mandated by law or other requirements, over which the Patrol has no discretion or control, the Contractor agrees to accept the necessary modifications whenever possible. If however, the Contractor cannot accept the changes; this Contract Award can be terminated. Failure to agree to such modifications is not a dispute within the meaning of the Disputes paragraph of the Contract Award Guidelines.

FINANCIAL MANAGEMENT

The Contractor must maintain a financial management system which records all Contract Award related costs following generally accepted accounting procedures. Adequate documentation for all contract costs must be maintained.

The Contractor will maintain, using accepted accounting practices and procedures, such books, records, documents, and other evidence, and accepted accounting procedures that will accurately document all costs relating to this Contract Award. This documentation must be kept for a period of at least three years (3) following completion of the project and final payment. All such documents will be subject to periodic on-site review as deemed necessary by ONDCP, the Patrol, and Federal audit agencies.

The Contractor agrees that the Patrol, the Executive Office of the President – Office of National Drug Control Policy, and/or the Comptroller General of the United States, the Auditor of the State of Nebraska or any of their duly authorized representatives may have access for purposes of audit and examination to any book, document, papers, or records maintained by the Contractor pertaining to this contract, and the Contractor further agrees to maintain such books and records for the period of three years after the date of the final audit. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three years, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three year period, whichever is later.

STOP WORK

The Patrol may issue and the Contractor will accept a written order to hold or Stop Work on activities funded under this Contract Award for a period of 30 days. Such orders will be issued only for sufficient cause, such as reason to believe work is being performed outside of the terms of the Contract Award, for financial improprieties found during a monitoring inspection or voucher and records review, or a change in relevant laws or regulations.

A Stop Work may be continued, cancelled, or reissued as an order of termination.

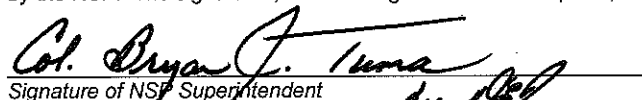
The Contractor is responsible for any costs incurred after the completion of the project and the issuance of final payment by the Patrol unless by mutual agreement.


BREACH OF AGREEMENT

In the event full services are not provided by the Contractor unless as a result of fire, riot, or other Act of God or other emergency acceptable to the Patrol, the Contractor will reimburse the Patrol for all funding provided by the Contract Award. These provisions will be exercised by the Patrol only after Contract Award violation(s) has been established and negotiations between the Patrol and recipient have not resulted in a mutually acceptable resolution. A written notice of Breach of Contract must be issued by the Patrol.

ACCEPTANCE OF CONDITIONS

It is understood and agreed by the undersigned that this contract and any subsequent Contract Awards are subject to the Nebraska State Patrol Multiple HIDTA Initiative Cooperative Agreement award I7PMWP634Z, dated January 2007, and to all special conditions as identified by the NSP. The signatures, with the original Contract Proposal, certify that this document has been received and read in its entirety.


Signature of NSP Superintendent
Bryan Tuma, Colonel - Superintendent
04-23-07
Date


Signature of Project Director
Steven Lamken, Police Chief
4/25/07
Date

Signature of Authorized Official
(Mayor, County Board Chairman, State Department Head, etc.)

Margaret Hornady, Mayor
Typed Name of Official and Title
Date

Signature of Financial Officer
(Treasurer, City Clerk, City Finance Department, Etc)

RaNae Edwards, City Clerk
Typed Name and Title
Date

SPECIAL CONDITIONS

NEBRASKA STATE PATROL MIDWEST HIDTA MULTIPLE INITIATIVES

Contractor: Grand Island Police Department	
Contract Number: 17PMWP634Z-8	Contract Title: Tri City Drug Task Force

This subgrant is subject to the standard conditions agreed to in the contract award, certified assurances, the Executive Office of the President, Office of National Drug Control Policy, HIDTA Multiple Initiatives and the following special conditions:

A. General Provisions

1. This grant is subject to:

- OMB Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments" (or, if applicable, OMB Circular A-21 "Cost Principles for Educational Institutions");
- OMB Circular A-102 "Grants and Cooperative Agreements with State and Local Governments" (or, if applicable, OMB Circular A-100 "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations");
- OMB Circular A-133 "Audits of States, Local Governments and Non-Profit Institutions";
- "Government-wide Debarment and Suspension (Non procurement)," codified at 21 CFR § 1401 et. seq.;
- "Government-wide Requirements for Drug-Free Workplace (Grants)" (codified at 21 CFR § 1401 et. seq.);
- "New Restrictions of Lobbying" (codified at 18 USC § 1903 and 31 USC § 1352).
- Nondiscrimination in Federally Assisted Programs and Equal Opportunity Plans requirements are codified at USC, Title VI (42 UUSC § 2000d et seq.).
- Immigration and Naturalization Service Employment Eligibility Verification Form (I-9)

2. Audits conducted pursuant to OMB Circular A-133, "Audits of State and Local Governments", must be submitted no later than nine (9) months after the close of the grantee's audited fiscal year. An original and one copy of the audit report shall be sent to the cognizant Federal Agency. The management letter must be submitted with the audit report. In addition, a copy of the audit report and management letter must be sent to:

EOP/ONDCP
Attention: HIDTA Financial Management Office
GSD/RDF (202) 395-6792
Anacostia Naval Annex
Bldg 410/Door 123
250 Murray Lane, SW
Washington, DC 20509

3. The recipient agrees to submit Financial Status Reports (OMB Standard Form 269) quarterly, during the award period, and at the end of the award period. These forms shall be faxed to the ONDCP HIDTA Financial Management Office at (202) 395-5176 within 30 days after the end of each quarter. Other reporting requirements are specified in the HIDTA Program Policy and Budget Guidance.

4. The recipient gives 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 grant.

B. Special Conditions HIDTA Grants

The following special conditions are incorporated into each award document.

1. This grant is awarded for the initiative(s) named above. Variation from the description of activities approved by ONDCP and/or from the budget attached to this letter must comply with reprogramming requirements as set forth in ONDCP's HIDTA Program Policy and Budget Guidance.
2. This award is subject to the requirements in ONDCP'S "HIDTA Program Policy and Budget Guidance" and the "ONDCP Financial and Administrative Guide"
3. No HIDTA funds shall be used to supplant state or local funds that would otherwise be made available for the same purposes.

4. The requirements of 28 CFR Part 23, which pertains to information collection and management of criminal intelligence systems, shall apply to any such systems supported by this award.
5. Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e. the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 6-12 of the HIDTA Program Policy and Budget Guidance.
6. The grant recipient agrees to account for and use program income in accordance with the "Common Rule" and the HIDTA Program Policy and Budget Guidance. Asset forfeiture proceeds generated by the HIDTA-funded initiatives shall not be considered as program income earned by HIDTA grantees.
7. Property acquired with these HIDTA grant funds is to be used for activities of the Midwest HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, you should make this equipment available to the HIDTA's Executive Board for use by other HIDTA participants.

C. Payment Basis

1. A request for reimbursement shall be made by using the Nebraska State Patrol Cash Report/Cash Request form NSP161. Copies of invoices, payroll registers, and canceled checks must accompany the payment confirmation number to provide documentation for the reimbursement request. Requests for advances must be accompanied by details specifying the need for the advance. Documentation of how the advance was spent must be submitted within 21 days before another advance or reimbursement will be approved.
2. Payments will be made by check or via Electronic Fund Transfer to the award recipient's bank account. The bank must be FDIC insured.

RECIPIENT ACCEPTANCE OF SPECIAL CONDITIONS:

Margaret Hornady
Typed Name

Mayor
Title

(Signature)

Date


Signature/Project Director


4-25-07
Date

Original to Patrol; Subgrantee keep copy for records.

Confidential Funds Certification

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of the ONDCP Financial and Administrative Guide.

Date: 4-25-07

Signature: 

Project Director: STEVEN LINDER

Grant No: 17PMWP634Z-8

FY 2007 - Midwest HIDTA

Budget Detail

Initiative - Tri-City Drug Task Force

Investigation

Award Recipient - Nebraska State Patrol

Grant/MOA - I7PMWP634Z

Resource Recipient - Nebraska State Patrol

Initial Budget (Approved)	212,448
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Personnel			
Position	# Positions	Subtotal	Personnel
Investigative - Law Enforcement Officer	3.00	108,000	
Total Personnel			108,000

Fringe Benefits			
Name/Position		Subtotal	Benefits
Total Fringe Benefits			-

Overtime			
Position	# Positions	Subtotal	Overtime
Total Overtime			-

Travel			
Purpose	# Positions	Subtotal	Travel
Investigative	-	5,720	
Total Travel			5,720

Facilities			
Description	# Leases	Subtotal	Facilities
Support		4,800	
Utilities		12,000	
Total Facilities			16,800

Services			
Description and Quantity	# Services	Subtotal	Total Services
Communications - mobile phones & pagers	-	3,600	
Contractor - Analyst - Intelligence	-	39,756	
Service contracts	-	2,806	
Vehicle lease - passenger	2.00	10,200	
Total Services			56,362

Equipment			
Description	# Equipment	Subtotal	Equipment
Total Equipment			-

Supplies			
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FY 2007 - Midwest HIDTA

Budget Detail

Initiative - Tri-City Drug Task Force

Investigation

Award Recipient - Nebraska State Patrol

Grant/MOA - I7PMWP634Z

Resource Recipient - Nebraska State Patrol

<i>Initial Budget (Approved)</i>	212,448
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Description	Subtotal	Supplies
Investigative/operational	5,646	
Total		5,646

Other		
Description	Subtotal	Other
PE/PI/PS	19,920	
Total		19,920

Total Budget	212,448
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RESOLUTION 2007-109

WHEREAS, the Office of National Drug Control Policy (ONDCP) has awarded a High Intensity Drug Trafficking Area (HIDTA) grant to the state of Nebraska for utilization by various state and local law enforcement agencies; and

WHEREAS, the City of Grand Island has participated in a variety of activities in connection with the HIDTA grant and other coordinated activities to fight drug trafficking; and

WHEREAS, the Grand Island Police Department is eligible to receive yearly funding through the HIDTA grant; and

WHEREAS, it is necessary for the City of Grand Island, by and through the Grand Island Police Department to approve the contract award through the Nebraska State Patrol for the grant award amount of \$54,892.00 for the year 2007-2008.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the contract between the City of Grand Island and the Nebraska State Patrol for the 2007 HIDTA funding award in the amount of \$54,892.00 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute such documents and take such action as is necessary and appropriate to accomplish these purposes.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
May 4, 2007	<input type="checkbox"/>	City Attorney