LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE
A G E N D A

JULY 9, 2012 - 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. Review and Recommendation - Filling Critical Positions
   A. Police Clerk II - Police Department
   B. 911 Dispatcher - Police Department

2. Requisite Legal Work for Proposed Rent Justification Ordinance *(Lynn, Leary, and Bonar)*

3. Proposed Policy for Requesting Legal Work/Opinions

4. Review of Grant Application - Disaster Recovery for Critical Infrastructure (DEMA)
   (Due to time constraints, this item has been placed on the Council agenda for the meeting being held later in the evening)

5. Value Study of Positions *(Hutchison)*

6. Adjournment by 7:00 P.M.

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

Permission to Recruit

To: Carleton E. Carey
Mayor

Date: June 18, 2012

From: James E Hosfelt Jr.
Chief of Police

Permission to recruit: 1 Person

Type of Position: (PF) PP TF TP

Title of Position: Police Clerk II

Start employment on: July 2, 2012

Opening is due to:

Termination, Transfer, Promotion, Other: (Retirement)

Sharon Walker
(name of previous employee)

Type of recruitment desired:

Local Newspaper: Delaware State News
(Name of publication)

Note: All out-of-house job postings will be advertised in the Delaware State News

Other: None See above

James E. Hosfelt

Chief James E Hosfelt Jr.

☑ APPROVED ☐ DENIED

Carleton E. Carey Jr.
Mayor of the City of Dover

Hiring Justification Outline

1. Explain the principal function of this job.
   The police clerk position handles a variety of functions, however the primary functions for this vacancy will be NIBRS (National Incident Based Reporting System) classification of crime reports, LEISS (Law Enforcement Investigative Support System) report review and approval, Criminal Summons processing, and LERMS (Law Enforcement Records Management System) data input.

2. Explain why this position is critical and cannot go unfilled or postponed.
   This position is critical to the timely, accurate processing of criminal reports for the police department. This agency processes in excess of 10,000 crime reports annually, and that number only continues to rise. Each report must be reviewed by a police clerk for quality and accuracy and this function cannot be automated.
   NIBRS data is reviewed bi-annually by members of the FBI Quality Assurance team; this position requires a significant amount of training to be able to ensure our continued exemplary performance on these reviews.

   The Records Unit recently absorbed the job duties of the Criminal Investigations Unit Secretary. The Records Unit has not seen an increase in personnel in over 20 years, although the amount of data processed by this unit has increased dramatically. To put it bluntly, this unit is stretched to its maximum and cannot absorb any more work.

3. How would City services diminish if this position were not filled or postponed at this time?
   Crime report processing time would decrease by more than 40%. Processing time for other areas, such as traffic citations and crash reports, would decrease due to reassignments of job duties. Until crime reports are approved by the Records Unit, the data is not available for analysis or measure. As a result, the Chief's monthly report to council would be delayed each month and the Annual Report would be delayed significantly. Our in-house crime analysis would be become obsolete due to the lack of timely data. Our recently instituted DDACTS program (Data Driven Approaches to Crime and Traffic Safety) would have to be abandoned.

4. Are there other employees whose ability to perform would be diminished by not filling or postponing this position?
   Other police clerks would have some reassignment of job duties in order to lessen the effect on crime reports. Each police clerk would see at least a 20% increase in job duties to cover this absence. This is in addition to recently absorbed job duties of the CI Secretary position. If current timelines were to continue to be met, there would be a significant increase in overtime/comp time, coupled with a significant decrease in morale and subsequently, work effort.

5. Is there a person that can be promoted into this position and whose position is less critical at this time and can go unfilled permanently or temporarily?
   There are no positions that can be promoted into this position. Finding an experienced person will be a challenge.

6. Can one or more existing employees absorb the duties of this position?
   See number 4, above. If other police clerks were required to absorb these duties, there would be a significant cost in both wages and production.

7. Could a temporary person be hired to fill this position for 60 days?
   This position is highly specialized and requires a great deal of training. A non-experienced person would not even be released to process reports without supervision for at least 60 days, if not 90 days. In addition, the police department requires a background check that would eliminate most temporary employees.

8. Grade/Salary Information
   Police Clerk II is a pay grade 13

City of Dover
Wage and Benefit Information for Employee Hiring and Transfer Request

DEPARTMENT/DIVISION ORIGINATING REQUEST: POLICE

Position	Current Grade/Step	Reason	FY13 Wages Budgeted	FY13 Benefits Budgeted	Total Wages & Benefits	% Year Wages Used	# Mos. Benefits Used	To Date Wages Paid	To Date Benefits Paid	FY12 Total Paid To Date	Lump Sum Vacation/Sick Payment*	Balance	Remarks
Accessions													
Dispatcher	IUE 18-1	Separation	34,694.40	21,406.08	56,100.48	0.0%	0.0	-	-	-	-	56,100.48	
Police Clerk II	IUE 13-13	Retirement	40,123.20	14,835.70	54,958.90	0.0%	0.0	-	-	-	-	54,958.90	
Totals					**111,059.39**							**$111,059.39**	

Position	Position	Reason	FY13 Salary	FY13 Benefits	Total Pay	% Year Wages Needed	# Mos. Benefits Needed	Wages	Benefits	Total Pay Needed	Remarks
New Positions											health care = family for all
Dispatcher	IUE 18-1	New Hire	34,694.40	23,323.59	58,017.99	82.0%	9.9	28,438.03	18,209.27	46,647.30	
Police Clerk II	IUE 13-1	New Hire	27,976.00	22,157.04	50,133.04	82.0%	9.9	22,931.15	19,167.97	42,099.12	
Totals					**108,151.03**					**88,746.42**	
Balance										**$22,312.96**	

Permission to Recruit

To: Carleton E. Carey
Mayor

Date: June 18, 2012

From: James E. Hosfelt
Chief of Police

Permission to recruit: 1 person

Type of Position: (PF) PP TF TP

Title of Position: Dispatcher

Start employment on: Upon Approval

Opening is due to: Replacement of Employee

Termination, Transfer, Promotion, (Other:)

Dispatcher Ryan Schmid was hired as a Police Recruit

Ryan Schmid
(name of previous employee)

Type of recruitment desired:

Currently there is no "Hiring List" for the position of Dispatcher. Advertising will be done in the News Journal, Delaware State News, and the Dover Post.
(name of publication)

Note: All out-of-house job postings will be advertised in the Delaware State News

Other: City and Departmental Website

James E. Hosfelt

Chief James Hosfelt

☑ APPROVED ☐ DENIED

Carleton E. Carey Jr.

Mayor of the City of Dover

Hiring Justification Outline

1. Explain the principal function of this job.

This position is for Communications Dispatcher. The responsibilities include dispatching police complaints by means of the 800 MHz radio system. Answering 9-1-1 emergency phones calls and non emergency phone calls. The position is also requires some computer knowledge due to the fact they will be tasked with data input and retrieval from the State and Federal computer systems.

2. Explain why this position is critical and cannot go unfilled or postponed.

The department's authorized strength is currently 11 dispatchers. It is essential for the department to maintain personnel to provide all levels of safety for the citizens of Dover. This position is a critical part of the City of Dover's emergency services system and the workload and the importance of this position dictates its necessity to be filled. However due to the recent resignation of a dispatcher the authorized strength has dropped to 10 dispatchers.

3. How would City services diminish if this position were not filled or postponed at this time?

Answering emergency calls would be delayed and the police department would be unable to provide the level of service we currently provide to the citizens of our city. Overtime will also increase as other dispatchers fill this position during peak hours.

4. Are there other employees whose ability to perform would be diminished by not filling or postponing this position?

Yes, officers would be delayed in their response to calls for service and emergency calls as a result of not filling this position.

5. Is there a person that can be promoted into this position and whose position is less critical at this time and can go unfilled permanently or temporarily?

No. There are no employees within the department who have expressed an interest in this position. This position is critical to the department and the City's emergency services. Training for the position takes several months.

6. Can one or more existing employees absorb the duties of this position?

This would require overtime expense for the City and would only be a short term fix. The dispatchers are essential emergency personnel who handle large volumes of calls during a shift, not filling this position would create hardship on the other dispatchers.

7. Could a temporary person be hired to fill this position for 60 days?

This is not a viable option due to the amount of training, and the background investigation needed for this position. To expend this amount of time and expense for a 60 day temp would not be prudent.

City of Dover
Wage and Benefit Information for Employee Hiring and Transfer Request

DEPARTMENT/DIVISION ORIGINATING REQUEST: POLICE

Position	Current Grade/Step	Reason	FY13 Wages Budgeted	FY13 Benefits Budgeted	Total Wages & Benefits	% Year Wages Used	# Mos. Benefits Used	To Date Wages Paid	To Date Benefits Paid	FY12 Total Paid To Date	Lump Sum Vacation/Sick Payment*	Balance	Remarks
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Totals					**108,151.03**					**88,746.42**	
Balance										**$22,312.96**	

PROCEDURE
COUNCIL REQUESTS FOR PROJECTS

(Adopted by City Council during their Regular Meeting of August 27, 2001)

PURPOSE

1. To establish a uniform procedure for project requests of staff by members of Council.
2. To improve communications between members of City Council as well as Council staff.
3. To allow for project requests to be inclusive of additional requests or ideas of Council when relative to the project.
4. To maintain a tracking system for project requests and relative information on file in the Office of the City Clerk.
5. To avoid any misunderstandings or confusion regarding project requests.
6. To keep chairpersons of a Council committee involved in project requests for possible review prior to information being requested of staff.
7. To eliminate staff's time on issues that were previously considered or discussed by providing the information when already available from the City Clerk's Office or from another member of Council or staff.

DEFINITIONS

Project Requests - For purposes of this procedure, project requests shall be for work estimated to take more than an hour of staff's time.

Council Staff - Shall mean those employees that directly report to the Mayor and City Council, as follows: City Manager, Chief of Police, City Assessor, Finance Director/Treasurer, City Planner, and City Clerk. It is noted that any project that would require information to be obtained by an employee of the City Manager, the request would be submitted to the City Manager for processing.

STATEMENT OF PROCEDURE

Should a member of Council wish to obtain information that would result in research bystaff, such request should be made in writing, specifically to the appropriate Council staff member, and appropriately distributed by the City Clerk's Office. Should a member of Council wish, the City Clerk's Office shall assist with the writing of the request. City Clerk's Office shall make copies of such requests and distribute to all members of City Council and Council Staff. The City Clerk's Office shall maintain a tracking system of all pending requests until finalized.

As a courtesy, members should first consider if the project is relative to a council committee and if so, they should contact the chair of the appropriate committee to obtain their input on the matter. If there is a question in this regard, it should be noted that a committee chair will be advised of the project by receipt of the written request and should be given the opportunity to respond at that time.

The response from the appropriate staff member shall be given to the City Clerk's Office for proper distribution (copies of said response to all members of City Council and Council staff). When deemed appropriate and/or at the direction of a Committee Chair or Council President, an issue may be placed on an agenda for further review and consideration.

PROCEDURE

1. If a project request is relative to a Council committee, the member of Council wishing to submit a project request of staff should contact the appropriate committee chair.

2. The member of Council submitting a project request shall either have City Clerk's Office write the request on their behalf or give the City Clerk's Office the written request. All requests shall be made in the form of a memorandum and addressed to the appropriate member of Council staff.

3. The City Clerk's Office shall submit the memorandum to the appropriate Council staff member and shall make copies of the memorandum and distribute to all members of Council and Council staff.

4. The response to the request shall be given by the Council staff member to the City Clerk's Office to be provided to the member of Council who initially requested the information as well as copies made and distributed to all members of Council and Council staff.

5. City Clerk's Office shall be responsible for maintaining a tracking system of all requests.

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Adopted August 27, 2001

ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: Information Technology **DATE SUBMITTED**: 06/20/12
PREPARED BY: Andrew R. Siegel, IT Director
SUBJECT: Review of Grant Application – Disaster Recovery for Critical Infrastructure (DEMA)
REFERENCE:
RELATED PROJECT:
APPROVALS: City Manager / Controller
EXHIBITS: Exhibit A – DEMA-State Homeland Security Grant Program (SHSGP) Sub-Grant Application
EXPENDITURE REQUIRED: $50,000 **AMOUNT BUDGETED**: $15,000 **FUNDING SOURCE (Dept./Page in CIP & Budget)**: DEMA Grant
TIMETABLE: Complete installation by end of September 2012.
RECOMMENDED ACTION: Authorize staff to complete the project and request reimbursement for all costs associated with the purchase and installation of the backup solution and infrastructure improvements.

BACKGROUND AND ANALYSIS

The City of Dover has requested and received funding from the State Homeland Security Grant Program (SHSGP) for the purchase and installation of equipment related to improvements in IT Disaster Recover and critical infrastructure.

The funding for this project was provided under short notice to our municipality due to other municipalities in the state not completing their projects by the due date set forth by the Federal Government. All costs associated with the project will be charged to Information Technologies. 100% of the project costs will be reimbursed to the City of Dover upon application for reimbursement. The full amount of this grant is not budgeted. It is requested that when funds are reimbursed to the City, funds are returned to the Information Technologies budget in order to complete budget expenses.

Fiscal Note: There is not additional ongoing expenses related to this grant, as it is replacing existing, outdated equipment. The budgeted maintenance costs to maintain the old equipment will sufficiently maintain the new equipment.

DEMA

FY09-026

STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP)
SUB-GRANT APPLICATION FORM

Award Amount
$50,000.00 WTH

***Acceptance conditions:** All equipment and/or service purchases are the responsibility of the sub-grantee and invoice(s) shall be submitted to DEMA for reimbursement.

1. Project:
FY09 Disaster Recovery for Critical Infrastructure

2. Duration of Project (mmm/dd/yyyy):
From: Apr-12-2012 TO: Sep-28, 2012 WTH

3. Description of Work:

This request will allow for disaster recovery for mission critical systems. The proceeds from this sub grant will be used to fund equipment and capabilities to increase the ability for the City of Dover to recover from a man made, natural disaster, or terroristic activity at another city data center geographically distant from the city's primary data center.
Scope: The funds received from this sub grant will allow the City of Dover, Department of Information Technology (IT) to increase IT system disaster recovery in addition to the recovery capabilities that the City of Dover IT department currently provides. Additional computer servers and IT hardware will be deployed in a city managed/owned data center; geographically distant from the primary city owned data center. This additional equipment will be used solely to increase the City of Dover's IT department support for the recovery of mission critical information technology systems.
Deliverable: The project will be considered complete when the city has purchased computer servers and the equipment has been installed into City of Dover's IT department existing Disaster Recovery Virtual Infrastructure at the City of Dover Data Center, located in the City of Dover.

4. Project Director:

a. Name:	b. Title:	c. Phone Number
Zachary Pond	LAN Analyst	302-736-5072

Signature:	Date (MMM-DD-YYYY)
	Apr-10-2012

5. Authorizing Official:

a. Name:	b. Title:	
Andrew R. Siegel	IT Director	
Signature:	**Date (MMM-DD-YYYY)**	**c. Phone Number**
	Apr 10, 2012	302-736-5045

Address:
City of Dover
IT Department
5 E. Reed St
Dover, DE 19901

Approval Date:	Federal Funds Obligated by Agreement
4/12/12	$50,000.00
Signature:	**Title:**
	Director

A sub-grant award is hereby made for the following, under the Homeland Security Grant Program, in accordance with the plan set forth in the sub-grantee's application for funding and subject to the general conditions, special conditions and deliverables that follow.

Subgrantee: City of Dover	**Date of Award**: April 12, 2012
Project Title: FY09 Disaster Recovery for Critical Infrastructure	**Federal Funding Awarded**: $50,000.00
Subgrant Number: FY09-026	**Total Project Cost**: $50,000.00
Performance Period Start Date: April 12, 2012	**Performance Period End Date: June 30, 2012**
DEMA point-of-contact: Will Hayes	

This award is subject to all applicable rules, regulations and conditions as prescribed by the FY2009 Homeland Security Grant Program. It is also subject to such further rules, regulations and policies as may be reasonably prescribed by the State of Delaware and the United States Department of Homeland Security.

This sub-grant shall become effective on the beginning date of the sub-grant period, provided that within thirty (30) days of the award execution date (below), the properly executed original of the "Acceptance Statement for Sub-Grant Award" is returned to the Delaware Emergency Management Agency (DEMA).

Under the conditions of OMB Circular A-133, Subpart B—Audits, §_.200 (b) Non-Federal entities that expend $500,000 or more in a year in federal awards shall have a single or program specific audit conducted for that year. As a sub-grantee, you will also be responsible for audit fees associated with these Federal Funds, if it is required. Also, please provide this office with a copy of any audit reports you receive, or a letter certifying that these funds do not meet the requirements for an audit. This letter is due upon completion of this project. You will be required to report on any findings and follow-up action taken to correct them. Should you fail to do so, it will adversely affect your eligibility for future funding.

GENERAL CONDITIONS AND STANDARD ASSURANCES

The sub-grantee hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The sub-grantee also specifically assures and certifies that:

1. 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.

2. 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.

3. It will give DEMA or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by DEMA, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63.

5. It will assist DEMA (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. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

6. It will comply (and will require contractors to comply) with any applicable statutorily-imposed non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); 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); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. If it is 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 governs 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 limits 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.

CERTIFICATIONS

Sub-grantees should refer to the regulations cited below to determine the certification to which they are required to attest. Sub-grantees should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as material representations of fact upon which reliance will be placed when the State of Delaware and the Department of Homeland Security determines to award the covered sub-grant.

1. **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 sub-grantee 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;

2. **DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 , the sub-grantee 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. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. 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; and

e. Where the sub-grantee is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. **DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620. The sub-grantee certifies that it will or will continue to provide a drug-free workplace by:

a. 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;

b. Establishing an on-going drug-free awareness program to inform employees about:

   1) The dangers of drug abuse in the workplace;

   2) The sub-grantee's policy of maintaining a drug-free workplace;

   3) Any available drug counseling, rehabilitation, and employee assistance programs; and

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

c. Making it a requirement that each employee to be engaged in the performance of the sub-grant be given a copy of the statement required by paragraph (a);

d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the sub-grant, the employee will:

   1) Abide by the terms of the statement; and

   2) 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;

e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) 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, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

   1) 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

   2) 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 paragraphs (a), (b), (c), (d), (e), and (f).

SPECIAL CONDITIONS

a. All requirements, quotes, and/or scope of work must be reviewed and approved by DEMA for compliance with grant guidelines prior to the start of any work.

b. All equipment and service purchases are the responsibility of the sub-grantee and invoice(s) shall be submitted to DEMA for reimbursement. In addition, all equipment costing $5,000 or more will be accounted for through an inventory listing.

c. All procurement and/or contracts must be in compliance with local purchasing guidelines and procedures. The local procurement procedures must be provided to DEMA upon request. In the absence of local procurement procedures, those listed under Title 29, Chapter 69 of the State of Delaware Procurement Code will apply.

d. As a sub-recipient, you are required to meet all compliance rules outlined in OMB Circulars A-87, and A-133, as well as 2 CFR 44. A member of the DEMA Staff will perform a monitoring visit within the next six months to ensure all compliance measures are being met. The local procurement procedures must be provided to DEMA upon request. In the absence of local procurement procedures, state procurement procedures will apply.

e. The City of Dover will maintain ownership of all equipment in accordance with the DEMA Memorandum of Understanding.

f. The City of Dover will work with DEMA to complete the Environmental and Historical Preservation (EHP) Review process when one is required. No work can begin on projects requiring EHP Reviews until approval from FEMA is received.

g. The sub-recipient is also responsible for insuring that equipment items with a purchase price of $5,000.00 are placed on the Fixed Assets Management List.

DELIVERABLES

a. Your acceptance of the conditions of the sub-grant is required by endorsement for grant award. A properly executed original of the "Subgrant Award Acceptance Statement" must be returned to the Delaware Emergency Management Agency (DEMA) within thirty (30) days of the award execution date (below). Upon receipt of the executed Subgrant Award Acceptance Statement, a Purchase Order (PO) will be created to encumber the funds for this project. This PO can be considered as a commitment by this agency to your agency for the funds allotted to your project.

b. Grant progress reports and fiscal vouchers will be submitted to DEMA by the fifteenth of every month. Each report and voucher will include a breakdown of progress and expenditures according to the eight components of the sub-grant. In order to receive reimbursement, all invoices, proofs of payment and other documentation is required.

c. A copy of any audit reports you receive, or a letter certifying that these funds do not meet the requirements for an audit. This letter is due upon completion of this project.

d. Participation by your agency in a monitoring visit is a grant requirement. You will be provided ample notification to work with DEMA to set up a convenient time for the visit.

e. Demonstrate a vendor debarment policy is in place and provide proof of a debarment validation check on all/each vendor utilized within your project. If you need assistance with this process, please work with DEMA.

James E. Turner, III
Director
Delaware Emergency Management Agency

4/12/12
Date

I, Andrew R. Siegel, acting under my authority to contract on behalf of the sub-grantee, hereby signify acceptance for the sub-grantee of the above-described sub-grant on the terms and conditions stated above or incorporated by reference therein. Further, I understand that I must expend all funds from this sub-grant before accessing the funds for any future sub-grant. I further certify that we will follow all prescribed procurement policies and procedures set forth by our agency, and that this agency is not suspended or debarred from receiving federal funds, and has not been so in the past. I certify that these federal funds will not replace any state or local funds that have been appropriated for the same purpose. This project(s) does not violate any rules of supplanting.

4/17/12
Date of Acceptance

Signature of Subgrantee

IT Director
Title of Subgrantee