

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF
ALDERMEN
TUESDAY SEPTEMBER 16, 2014 – 7:00 P. M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Phil Fisher

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Cashion followed by the pledge of allegiance to the flag led by Alderman Brabham.

ROLL CALL City Clerk, Russell Wall

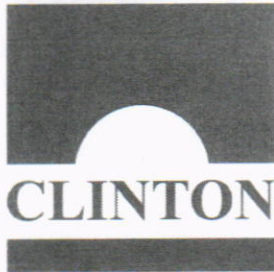
Present: Jehu Brabham – Alderman-at-Large
 David Ellis – Alderman Ward 1
 Jim Martin – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Greg Cronin – Alderman Ward 4
 Jan Cossitt – Alderwoman Ward 5
 Mike Cashion – Alderman Ward 6

RECOGNITIONS

The Mayor announced that the City of Clinton and Russell Wall, City Clerk were awarded the Certificate of Achievement for Excellence in Financial Reporting. This was the tenth straight year the City has received this award.

APPROVAL OF CONSENT AGENDA ITEMS A - G

MOTION made by Alderwoman Cossitt and **SECONDED** by Alderman Cashion to approve the Consent Agenda Items A-G. **MOTION CARRIED UNANIMOUSLY**



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DEPARTMENT HEAD REPORTS

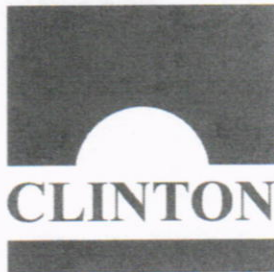
Michael Warren, Police Chief reported to the board the statistics for calls for service, traffic stops, number of tickets written, and number of arrests for the period August 25, 2014 through September 7, 2014 as compared to the same period in 2013. The Chief then updated the board on various activities that his department was involved in. These activities included monitoring the Baptist Health System's bike ride to be held Saturday September 20, 2014, monitoring the Northside Elementary School 5K run to be held on Arrow Drive on Saturday September 20, 2014, monitoring the Cruzin Clinton Car Show to be held Saturday September 20, 2014, and the chief wanted to thank Mr. Causey with the New Orleans Grill for providing lunch for the police department employees on Monday September 15, 2014.

Barry Burnside, Fire Chief, reported the statistics on the number of service calls including medical and fire calls for the period of January 2014 through September 15, 2014 as compared to the previous year. The Chief then updated the board on various activities that the Fire Department was involved in. These activities included that the fire fighters enrolled in the fire academy were doing very good, there was one fire fighter still in EMT school, the agility test for new fire fighters was held on Tuesday September 16, 2014 and of the nineteen participants eleven passed and would move on to the next stage of testing, his department had finished the CPR training for the Clinton Police Department, Carl Schramm with the New York City Fire Department had discussions with students at Eastside about events he was involved in during the September 11, 2001 attacks on New York City, and the department was scheduled to put on several fire safety classes in the next few weeks.

Mike Parker, Director of the Public Works Department, reported that the City of Clinton's Water System had scored a 5 out of 5 on all categories from the annual Health Department inspection of the water system. He also reminded the board that the Hazardous Waste Day will be held on October 4, 2014 and the Fall Cleanup Week will be held on October 4, 2014 through October 11, 2014.

BOARD OF ALDERMEN DISCUSSION AND REPORTS

There were no items from the Board of Aldermen.



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MAYOR'S DISCUSSION AND REPORTS

UPDATE ON UNKEMPT PROPERTY LOCATED AT 1404 ROSEMONT DRIVE

This item was removed from the agenda and no action was taken.

UNKEMPT PROPERTY LOCATED AT 1318 ROSEMONT DRIVE

This item was removed from the agenda and no action was taken

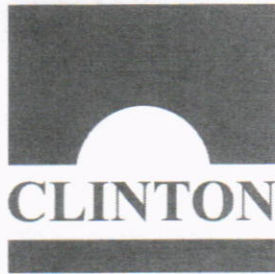
During the discussion of the above item the Mayor stopped the discussion to recognize the presence of the Speaker of the Mississippi House of Representatives Phillip Gunn, Hinds County Judge Bill Skinner and Hinds County Supervisor Tony Greer. Speaker Gunn just wanted to say hello and complement the board on their work representing the citizens of Clinton. Judge Skinner gave a brief update on the happenings with the Hinds County Youth Drug Court.

UNKEMPT PROPERTY LOCATED AT 107 LISI LANE

This item was removed from the agenda and no action was taken.

UNKEMPT PROPERTY LOCATED AT 105 TRACE RIDGE DRIVE

Upon presentation by Angie Gelston, Compliance Officer, **MOTION** made by Alderman Barnett and **SECONDED** by Alderwoman Cossitt the board did not approve a resolution determining the necessity for cleaning the property located at 105 Trace Ridge Drive, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended and other applicable statutes and ordinances. A public hearing was held but no one representing the property owner was present and there was no public comment. The resolution is on file with the City Clerk. **ALDERMAN BARNETT AND ALDERWOMAN COSSITT VOTED AYE AND ALDERMAN BRABHAM, ALDERMAN ELLIS, ALDERMAN MARTIN, ALDERMAN CRONIN, AND ALDERMAN CASHION VOTED NAY. THE VOTE WAS 5 NAYS TO NOT APPROVE THE RESOLUTION AND 2 AYES TO APPROVE THE RESOLUTION THE RESOLUTION WAS NOT APPROVED.**



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UNKEMPT PROPERTY LOCATED AT 2205 OLD VICKSBURG ROAD

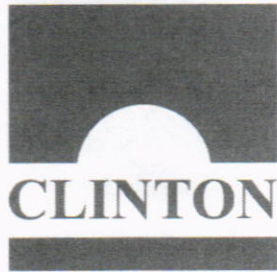
Upon presentation by Angie Gelston, Compliance Officer, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Brabham the board approved a resolution determining the necessity for cleaning the property located at 2205 Old Vicksburg Road, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended and other applicable statutes and ordinances. Furthermore the board gave the property owners six (6) months to demolish the house and clean the property before the City performed any action. A public hearing was held and the owners of the property James and Rhonda Odom addressed the board. Mr. Odom stated that he would have the house demolished and the property cleaned up within six (6) months. He also stated that he and his wife intended to build a new house on the property. The resolution is on file with the City Clerk. **THE MOTION CARRIED WITH A VOTE OF 6 AYES AND 1 NAY. ALDERMAN BRABHAM, ELLIS, MARTIN, BARNETT, ALDERWOMAN COSSITT, AND ALDERMAN CASHION VOTED AYE AND ALDERMAN CRONIN VOTED NAY.**

APPROVE A PROCLAMATION DECLARING OCTOBER 2014 AS RACIAL RECONCILIATION CELEBRATION MONTH

Upon presentation by Phil Fisher, Mayor, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Ellis the board approved a proclamation declaring October 2014 as Racial Reconciliation Celebration Month. **MOTION CARRIED UNANIMOUSLY**

APPROVE A DONATION PRESENTED TO THE CLINTON VISITORS CENTER, IN THE AMOUNT OF \$120.00, IN MEMORY OF SANDRA WOODSON, A LONG TIME VOLUNTEER

Upon presentation by Marsha Barham, Visitor Center Director, **MOTION** made by Alderman Martin and **SECONDED** by Alderman Cashion the board approved accepting a donation presented to the Clinton Visitors Center, in the amount of \$120.00, in memory of Sandra Woodson, a long time volunteer. **MOTION CARRIED UNANIMOUSLY**



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AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND PIONEER CREDIT RECOVERY, INC. TO PROVIDE COLLECTION SERVICES FOR DELINQUENT COURT FINES

This item was removed from the agenda and no action was taken.

APPROVE A REQUEST TO MOVE \$9,000.00 FROM THE FY 2014 POLICE BUDGET LINE ITEM 001-105-525-0 (GAS AND OIL) TO LINE ITEM 001-105-635-0 (CONTRACT LABOR) FOR THE PURPOSE OF PAYING CONTRACT FEE TO MORRIS AND ASSOCIATES FOR POLICE PROMOTIONAL ASSESSMENT SERVICES

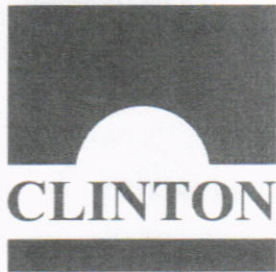
Upon presentation by Michael Warren, Police Chief, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Cronin the board approved a request to move \$9,000.00 from the FY 2014 Police budget line item 001-105-525-0 (Gas and Oil) to line item 001-105-635-0 (Contract Labor) for the purpose of paying contract fee to Morris and Associates for Police promotional assessment services. **MOTION CARRIED UNANIMOUSLY**

APPROVE A REQUEST TO ACCEPT A GRANT FROM THE MISSISSIPPI OFFICE OF HIGHWAY SAFETY IN THE AMOUNT OF \$72,283.00 TO REIMBURSE POLICE OVERTIME FOR TRAFFIC ENFORCEMENT AND TRAFFIC SAFETY EDUCATION

Upon presentation by Michael Warren, Police Chief, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Martin the board approved a request to accept a grant from the Mississippi Office of Highway Safety in the amount of \$72,283.00 to reimburse police overtime for traffic enforcement and traffic safety education. **MOTION CARRIED UNANIMOUSLY**

APPROVE A REQUEST TO ACCEPT A GRANT FROM THE MISSISSIPPI OFFICE OF HIGHWAY SAFETY IN THE AMOUNT OF \$59,701.00 TO REIMBURSE THE SALARY OF ONE FULLTIME DUI ENFORCEMENT OFFICER

Upon presentation by Michael Warren, Police Chief, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Barnett the board approved a request to accept a grant from the Mississippi Office of Highway Safety in the amount of \$59,701.00 to reimburse the salary of one fulltime DUI enforcement officer. **MOTION CARRIED UNANIMOUSLY**



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APPROVE A REQUEST TO ACCEPT PROPERTY FROM CLINTON POLICE EVIDENCE THAT HAS BEEN DEEMED BY COURT ORDER TO NO LONGER HAVE EVIDENTIARY VALUE AND HAS BEEN DETERMINED TO BE UNCLAIMED PROPERTY

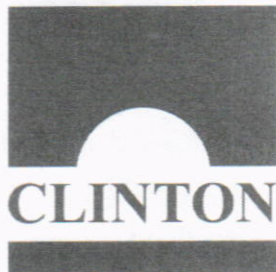
Upon presentation by Michael Warren, Police Chief, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Brabham the board approved a request to accept property from Clinton Police Evidence that has been deemed by court order to no longer have evidentiary value and has been determined to be unclaimed property. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZE THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER THAT ESTABLISHES GUIDELINES FOR THE PROCUREMENT AND USE OF MOTOROLA TRI-BAND RADIOS

Upon presentation by Jeff Blackledge, Captain/Training Officer with the Clinton Fire Department, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board authorized the Mayor to execute a Memorandum of Understanding between the City of Clinton, Mississippi and The University of Mississippi Medical Center that establishes guidelines for the procurement and use of Motorola tri-band radios. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE ACCEPTANCE, CONSIDERATION AND AWARD OF LOW BID OF \$350,568.50 TO GREENBRIAR DIGGING SERVICE LP FOR THE 2013 SOUTHERN OAKS SEWER IMPROVEMENTS PROJECT, AND FURTHERMORE GIVE THE MAYOR THE AUTHORITY TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE CONSTRUCTION OF SAID PROJECT

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Brabham the board approved the acceptance, consideration and award of low bid of \$350,568.50 to Greenbriar Digging Service LP for the 2013 Southern Oaks Sewer Improvements Project, and furthermore gave the Mayor the authority to execute any and all documents related to the construction of said project. Larry Ezell, President of the Southern Oaks Homeowners Association, informed the board that the homeowners were okay with the bid being accepted and were ready for the project to begin. **MOTION CARRIED UNANIMOUSLY**



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**APPROVAL TO ADVERTISE FOR BIDS FOR THE SRF WATER SYSTEM
IMPROVEMENTS DWSIRLF PROJECT #DWI-L250003-03**

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Martin the board gave its approval to advertise for bids for the SRF Water System Improvements DWSIRLF Project #DWI-L250003-03. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE SOUTHERN OAKS PURCHASE AGREEMENT

Upon presentation by Ken Dreher, City Attorney, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Cronin the board approved the Southern Oaks Purchase Agreement. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 8:13 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Barnett to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held October 7, 2014 at 7:00 p. m. **MOTION CARRIED UNANIMOUSLY**

APPROVED: _____

Philip R. Fisher

Philip R. Fisher, Mayor

9/30/14

Date

ATTEST: _____

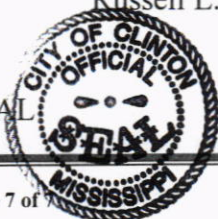
Russell L. Wall

Russell L. Wall, City Clerk

9-30-14

Date

SEAL



RESOLUTION FOR UNKEMPT PROPERTY IN THE CITY OF CLINTON, MS

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 105 Trace Ridge Drive, Clinton, Mississippi, and after full consideration of the matter, Alderman ~~C. BARNETT~~ offered the following Resolution: **BARNETT**

Resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, determining the necessity for the cleaning of private property located at 105 Trace Ridge Drive, Clinton, Mississippi, under the Authority granted to Municipalities by section 21-19-11, Mississippi Code of 1972 as Amended, and other applicable Statutes and Ordinances.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 105 Trace Ridge Drive, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required by Section 21-19-11 of the Mississippi Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m. on September 16, 2014, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development is directed to take such action as appropriate under Section 21-19-11 of the Mississippi Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, to cut weeds and grass, and to remove trash and debris.

NOW BE IT RESOVLED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 105 Trace Ridge Drive, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statues and ordinances, to cut weeds and grass, and to remove junk cars, trash and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the City of Clinton, Mississippi, may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by ^{Alderwoman Cossitt} ~~Alderman Brabham~~ and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on a roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>NA Y</u>
Alderman Ellis voted:	<u>NA Y</u>
Alderman Martin voted:	<u>NA Y</u>
Alderman Barnett voted:	<u>NA Y</u>
Alderman Cronin voted:	<u>NA Y</u>
Alderwoman Cossitt voted:	<u>NA Y</u>
Alderman Cashion voted:	<u>NA Y</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing resolution was approved this 16th day of September 2014.

CITY OF CLINTON

BY: _____
Philip R. Fisher, Mayor

ATTEST: _____
Russell L. Wall, City Clerk

(SEAL)

RESOLUTION FOR UNKEMPT PROPERTY IN THE CITY OF CLINTON, MS

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 2205 Old Vicksburg Road, Clinton, Mississippi, and after full consideration of the matter, Alderman Cashion offered the following Resolution:

Resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, determining the necessity for the cleaning of private property located at 2205 Old Vicksburg Road, Clinton, Mississippi, under the Authority granted to Municipalities by section 21-19-11, Mississippi Code of 1972 as Amended, and other applicable Statutes and Ordinances.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 2205 Old Vicksburg Road, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required by Section 21-19-11 of the Mississippi Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m. on September 16, 2014, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development is directed to take such action as appropriate under Section 21-19-11 of the Mississippi Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, to cut weeds and grass, and to remove trash and debris.

NOW BE IT RESOVLED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 2205 Old Vicksburg Road, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statues and ordinances, to cut weeds and grass, and to remove junk cars, trash and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the City of Clinton, Mississippi, may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances.

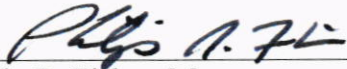
A Motion for adoption was seconded by Alderman Brabham and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on a roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Ellis voted:	<u>AYE</u>
Alderman Martin voted:	<u>AYE</u>
Alderman Barnett voted:	<u>AYE</u>
Alderman Cronin voted:	<u>NAY</u>
Alderwoman Cossitt voted:	<u>AYE</u>
Alderman Cashion voted:	<u>AYE</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing resolution was approved this 16th day of September 2014.

CITY OF CLINTON

BY: 
Philip R. Fisher, Mayor

ATTEST: 
Russell L. Wall, City Clerk

(SEAL)



PROCLAMATION
OCTOBER AS 'RACIAL RECONCILIATION CELEBRATION MONTH'

WHEREAS, Mission Mississippi has been dedicated since 1993 to the underlying truth that all persons of all races are called together to live in unity and harmony within the State of Mississippi; and

WHEREAS, Mission Mississippi is well aware of the continuing need to overcome the traditional barriers that in the past have separated the people of our State and our communities; and

WHEREAS, it remains the goal of Mission Mississippi to create an environment in which it is safe to talk about the deep issues of race relations in order that genuine and meaningful relationships can be developed among all our fellow citizens across racial and denominational lines; and

WHEREAS, Mission Mississippi has labored faithfully toward this goal by sponsoring and hosting a variety of local and statewide events designed to help Mississippians of different backgrounds to come together and establish deep and genuine relationships across racial and denominational lines; and

WHEREAS, Mission Mississippi will sponsor events in the month of October 2014 promoting the unifying message of racial reconciliation and healing which can enhance and improve the lives of all citizens, businesses and communities of Mississippi.

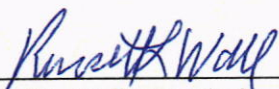
NOW, THEREFORE, as Mayor, I do hereby proclaim October 2014 as:

RACIAL RECONCILIATION CELEBRATION MONTH

In Clinton Mississippi to celebrate our opportunity to overcome the past and face the challenge of encouraging all of our citizens to collaboratively and faithfully join Mission Mississippi in the work of promoting racial reconciliation and healing to bring about unity throughout Mississippi.

IN TESTIMONY WHEREOF, I have given under my hand and the seal of the City of Clinton on this the 16th day of September 2014.


Philip R. Fisher, Mayor


Russell L. Wall, City Clerk



08/25/2014

Clinton Visitor Center
Marsha Barham
1300 Pinehaven Rd
Clinton, MS 39056

Dear Marsha:

Thank you for allowing Memorial Donations to be made at the Clinton Visitor Center in Memory of Sandra Woodson. My mother loved volunteering time at the Visitor Center. She loved meeting people from all across the world. She also loved sharing information about Clinton with others that she met at the Visitor Center. She will be missed for her smile and love for others.

The desire of mine, Bruce, Matthew and Meredith is for memorial's to be used in her memory or toward anything that makes another person smile and enjoy Clinton as much as she has since 1971.

I know that several are working to get a bench for her. We appreciate this and she would have loved it and the chance to talk to everyone that she could meet.

Thank you again for allowing memorials to be made to the Clinton Visitor Center.

Sincerely,

Debby Warren
Daughter of Sandra Woodson
601-941-5664
442 Gardner Rd
Forest, MS 39074



STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR

ALBERT SANTA CRUZ
COMMISSIONER

October 7, 2014

The Honorable Phil Fisher, Mayor
City of Clinton
305 Monroe Street
Clinton, MS 39056

Project Number: 15-PT-206-1
Title: Police Traffic Services
Effective Date: October 1, 2014 thru September 30, 2015
Funding Amount: \$72,283.00

Dear Mayor Fisher:

The MS Office of Highway Safety (MOHS) is pleased to announce that your agency has been approved for a ***Police Traffic Service*** grant for the Federal Fiscal Year 2015, which will have a retroactive effective date of October 1, 2014. Program activities must remain within the scope of the funding source shown above and must be implemented in accordance with the National Highway Traffic Safety Administration (NHTSA) Guidelines specific to this funding source.

These guidelines can be found in the "Highway Safety Grant Funding Policy for NHTSA/FHWA Field-Administered Grants manual" located on the web at the following address:

<http://www.nhtsa.gov/About+NHTSA/Programs+&+Grants/Resources+Guide>. We encourage you to review these guidelines to ensure compliance.

Enclosed is a signed agreement obligating federal funds as outlined above. Your attention is directed to the Agreement of Understanding which governs the grant. Strict adherence to these provisions is essential to ensure compliance with applicable federal and state statutes, rules, regulations and guidelines.

Please contact your Program Manager, Ginny Stubbs @ 601-977-3730 if you have any questions concerning your project. You may contact Twyla Jennings, Division Director @ 601-977-3723, if you are unable to reach the Program Manager.

Sincerely,


Shirley Thomas, Office Director
Mississippi Governor's Representative

SJT
Enclosures



STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR

ALBERT SANTA CRUZ
COMMISSIONER

July 22, 2014

The Honorable Phil Fisher, Mayor
Clinton Police Department
305 Monroe Street
Clinton, MS 39056

Project Number: **15-PT-206-1**

Effective Date: **October 1, 2014**

Dear Mayor Fisher:

The MS Office of Highway Safety (MOHS) is pleased to inform you that the grant application for the 2015 *Police Traffic Service* in the amount of **\$72,283.00** has been approved. Enclosed are the contractual items needed to finalize the award agreement. Please return three (3) original contract documents signed in **blue** ink:

- | | |
|--|--|
| 1) Sub-grant Signature Sheet | 4) Budget Summary |
| 2) Target, Performance Measures and Strategy | 5) Cost Summary Support Sheet |
| 3) Project Task by Quarter | 6) Agreement of Understanding and Compliance |

The Agreement of Understanding contains all State and Federal requirements, guidelines, compliances, certifications and assurances, resolutions, approval signatures, required policies, etc. The Agreement is legally binding once approved and agreed upon by both parties via appropriate signatures. Please thoroughly read all documents.

All of the enclosed documents must be signed, where applicable, and returned within 30 days after receipt of this notice. You will later receive notice of the FY15 implementation meeting where you will receive an award letter and one (1) original contract.

Should you have any questions or need additional information, please contact Ginny Stubbs at 601-977-3700 or gstubbs@dps.ms.gov

Sincerely,

Shirley Thomas
Shirley Thomas, Office Director
Governor's Representative

SJT
Enclosures

FY15 SUBGRANT SIGNATURE SHEET

MS Office of Highway Safety

1025 Northpark Drive

Ridgeland, MS 39157

Phone: (601) 977-3700; Fax: (601) 977-3701

RECEIVED
OCT 03 2014
HIGHWAY SAFETY

1. Subgrantee's Name, Address and Phone No. Clinton Police Department 305 Monroe Street Clinton, MS 39056 Program Title: Police Traffic Services TEL: 601-924-5252 FAX: 601-924-7867 E-Mail: warren108@clintonpd.org	2. Effective Date: October 1, 2014
	3. Subgrant Number: 15-PT-206-1
	4. Grant Identifier (Funding Source & Year): MAP 21 402-Police Traffic Services FY2015
	5. Beginning and Ending Dates: 10/1/2014-9/30/2015
6. Subgrant Payment Method: ☒ Cost Reimbursement Method	

7. CFDA # - 20.600	8. DUNS # - 969956366	9. Congressional District - 2 nd	10. FAIN #:
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11. The following funds are obligated:					
A. COST CATEGORY		B. SOURCE OF FUNDS		C. MATCH	D. RATIO%
(1) Personal Services-Salary	\$40,512.00	(1) Federal	\$57,765.50		
(2) Personal Services-Fringe	\$9,488.00	(2) State			
(3) Contractual Services		(3) Local	\$14,517.50		
Travel	\$1,713.00	(4) Other			
(5) Equipment	\$20,570.00				
(6) Other					
TOTAL	\$72,283.00	TOTAL	\$72,283.00		

The Subgrantee agrees to operate the program outlined in this subcontract in accordance with all provisions of this subcontract as included herein. The following sections are attached and incorporated into this agreement:

Final Approved Agreement which includes: Sub-Grantee Signature Sheet; Sub-Grantee Targets, Performance Measures and Strategies; Task by Quarter; Budget Summary; Cost Summary Support Sheet; and required agency's policies and procedures and Agreement of Understanding and Compliances.

All policies, terms, conditions, and provisions listed in guidelines, grant agreement, and agreement of understanding which has been provided to Subgrantee, are also incorporated into this agreement, and Subgrantee agrees to fully comply therewith.

12. Approved for Grantee:	13. Approved for Subgrantee:
 Signature _____ Date <u>10/29/14</u> Name: Shirley Thomas Title: Office Director/MS Governor's Representative Department of Public Safety, Division of Public Safety Planning, MS Office of Highway Safety	 Signature _____ Date <u>9/17/14</u> Name: PHIL FISHER Title: Mayor

FY15 Sub-Grantee-Targets, Performance Measures and Strategies

Agency Name: Clinton Police Department

List the targets that the sub-grantee will accomplish during the FY15 grant year. Performance measures should be set to help the sub-grantee accomplish the targets for the grant year. Strategies must be listed to show how the strategies will be implemented to meet the performance measures and to accomplish the targets set by the agency.

Targets:

To reduce motor vehicle crashes by 1% from 675 crashes in FY13 668 crashes by the end of FY15. To reduce the number of motor vehicle crashes unbelted not injured by 10% from (15) in FY13 to (13) by the end of FY15. Reduce the number of speed related crashes by 10% from (22) in FY13 to (20) by the end of FY15. Reduce the number of speed related fatal crashes by 100% from (1) in FY13 to zero (0) by the end of FY15.

Performance Measures:

Clinton Police Department's overall goal is to increase the number of speed citations by 5% from (224) in FY13 to (235) in FY15. Increase seatbelt citations 5% from (79) in FY13 to (83) in FY15. Increase child restraint citations 10% from (8) in FY13 to (9) in FY15.

Strategies:

The agency will utilize the funds for overtime for officers to conduct described program activities above and beyond the agency's daily activities and responsibilities. The overtime will allow work with additional officers to conduct a minimum of 4 checkpoints and/or saturation patrols during national "Click It or Ticket It" campaigns, and a minimum of (4) checkpoints and/or saturation patrols during the state holidays and other special events, for total of (20) checkpoints and/or saturation patrols during the year. The agency will conduct a minimum of (2) school, community and/ or public information presentation per quarter on the safety of seatbelt and child restraint for a total (8) during the 12 month period. The agency will implement at least (1) earned media campaign during the national "CIOT" campaign.

FY15 TASK BY QUARTER

AGENCY NAME: Clinton Police Department

PROJECTION TASK BY QUARTERS:

Please include information regarding Blitz participation, if agency is participating in a Blitz during quarter.

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

1st QUARTER (OCTOBER, NOVEMBER & DECEMBER)

Purchase approved equipment during 1st quarter for the grant year.

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 2 checkpoints during quarter.

Conduct not less than 2 saturation patrols during quarter.

Issue not less than a minimum of (58) grant funded speed citations during quarter, to reach 5 % goal of (235) for FY2015.

Issue not less than a minimum of (10) grant funded seatbelt citations during quarter, to reach 5 % goal of (79) for FY2015.

Issue not less than a minimum of (1) grant funded child restraint citations during quarter, to reach 10 % goal of (9) for FY2015.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

Projected Expenditures for Quarter: \$5,776.52

FY15 TASK BY QUARTER

AGENCY NAME: _____ Clinton Police Department _____

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

2nd QUARTER (JANUARY, FEBRUARY & MARCH)

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 2 checkpoints during quarter.

Conduct not less than 2 saturation patrols during quarter.

Issue not less than a minimum of (58) grant funded speed citations during quarter, to reach 5 % goal of (235) for FY2015.

Issue not less than a minimum of (10) grant funded seatbelt citations during quarter, to reach 5 % goal of (79) for FY2015.

Issue not less than a minimum of (1) grant funded child restraint citations during quarter, to reach 10 % goal of (9) for FY2015.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

Projected Expenditures for Quarter: \$5,776.52

FY15 TASK BY QUARTER

AGENCY NAME: Clinton Police Department

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

3RD QUARTER (APRIL, MAY & JUNE)

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 4 checkpoints during quarter.

Conduct not less than 4 saturation patrols during quarter.

Issue not less than a minimum of (60) grant funded speed citations during quarter, to reach 5% goal of (235) for FY2015.

Issue not less than a minimum of (40) grant funded seatbelt citations during quarter, to reach 5% goal of (79) for FY2015.

Issue not less than a minimum of (5) grant funded child restraint citations during quarter, to reach 10% goal of (9) for FY2015.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

Projected Expenditures for Quarter: \$28,882.79

FY15 TASK BY QUARTER

AGENCY NAME: Clinton Police Department

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

4TH QUARTER (JULY, AUGUST & SEPTEMBER)

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 2 checkpoints during quarter.

Conduct not less than 2 saturation patrols during quarter.

Issue not less than a minimum of (59) grant funded speed citations during quarter, to reach 5 % goal of (235) for FY2015.

Issue not less than a minimum of (20) grant funded seatbelt citations during quarter, to reach 5 % goal of (79) for FY2015.

Issue not less than a minimum of (9) grant funded child restraint citations during quarter, to reach 10 % goal of (9) for FY2015.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

Projected Expenditures for Quarter: \$17,329.67

FY15 MS OFFICE OF HIGHWAY SAFETY BUDGET SUMMARY

1. Applicant Agency: Clinton Police Department						
2. Subgrant Number: 15-PT-206-1	3. Grant ID: 402-PTS	4. Beginning: October 1, 2014	Ending: September 30, 2015			
6. Submitted as part of (Check One):	7. Funding Request: _____	8. Modification Number: _____	9. Modification Effective Date: _____			
Funding Sources						
10. For MOHS Use Only	11. Activity	Federal	State	Program Income	Other (Local-Private)	Total
	402-Police Traffic Services	\$57,765.50			\$14,517.50	\$72,283.00
TOTAL		\$57,765.50			\$14,517.50	\$72,283.00

**FY15 Mississippi Office of Highway Safety
COST SUMMARY SUPPORT SHEET**

1. Applicant Agency: Clinton Police Department				
2. Subgrant Number: 15-PT-206-1	3. Grant ID: 402-PTS	4. Beginning: October 1, 2014	5. Ending: September 30, 2015	
6. Activity: Police Traffic Services				
7. MOHS Use Only	8. Category	10. Description of item and/or Basis for Valuation	11. Budget	
			Federal	All Other
	9. Line Item			Total
	Salary & Wages	Overtime for officers @ approx.. \$24.00 per hour X 1659.71 hrs = 39,833.04 Not to exceed \$39,833.04	\$39,833.04	
	Fringe	FICA @ 7.65% X \$39,833.04 = \$3,047.23 Retirement @ 15.75% X \$39,833.04 = \$6,273.70 Total = \$9,320.93 Not to exceed \$9,320.86	9,320.86	\$39,833.04
	Travel	Highway Safety STARS Conference Hotel @ 105 per night X 3 nights X 2 people = \$630.00 Hotel Taxes @ 10% X 2 people = \$63.00 Meals: day1/34.50 + day2/35.00 + day3/35.00 + day4/34.50 X 2 people = \$278.00 Gratuity for meals @ 20% X 2 people = \$55.60 Total for STARS Conference = \$1,026.60 Not to exceed \$1,026.60	\$1,026.60	\$9,320.86
	Contractual	Shipping \$40.00	\$40.00	
	Equipment	1 Radar recorder & Kit @ \$3,995.00 1 Radar Recorder @ 3,550.00 Total = \$7,545.00	\$7,545.00	\$14,517.50
				\$22,062.50

TOTALS	\$57,765.50	\$14,517.50	\$72,283.00
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Mississippi Office of Highway Safety

FY15 Agreement of Understanding and Compliance

This agreement made and entered into by and between the State of Mississippi by and through the MS Office of Highway Safety, hereinafter referred to as State, and the Governmental Unit or agency named in this application, hereinafter referred to as Recipient.

WHEREAS, the National Highway Traffic Safety Act of 1966, as amended, provides Federal funds to the State for approved highway safety projects for the purpose of reducing injuries and fatalities as result of motor vehicle crashes, and

WHEREAS, the State may make said funds available to state, county, and municipal agencies and/or government or political subdivisions and/or non-profit entities upon application and approval by State and the National Highway Traffic Safety Administration (NHTSA) if applicable, and

WHEREAS, the Recipient must comply with the requirements listed herein, to be eligible for Federal funds in approved highway safety projects, and

WHEREAS, the State is obligated to reimburse NHTSA out of its funds for any ineligible or unauthorized expenditures for which Federal funds have been claimed and payment received, and

WHEREAS, the Recipient has submitted an application for Federal funds for highway safety projects:

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENSES

1. It is mutually agreed that upon written application by Recipient and approval by State and NHTSA (if applicable), State will obligate Federal funds to Recipient account for reimbursement of eligible expenditures as set forth in the application.
2. It is understood that the State has the right to monitor and pre-audit any and all claims presented for reimbursement. Arrangements have been made for the financial and compliance audit required by OMB Circular A-133, which is to be conducted within the prescribed audit reporting cycle (failure to furnish an acceptable audit, as determined by the cognizant Federal agency, may result in denial or require return of Federal funds). It is mutually agreed and promised that Recipient reimburse State for any ineligible or unauthorized expenditure for which Federal funds have been claimed and payment received as determined by a State or Federal audit.
3. It is also understood, pursuant to Section 18.42(e)(1) of Title 49 Code of Federal Regulations, the awarding agency and the Comptroller General of the United States, or any of their authorized representatives (such as National Highway Traffic Administration otherwise known as NHTSA), shall have the right of access to any pertinent books, documents, papers, or other records of grantees and sub-grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.
4. It is further agreed that where reimbursement is made to Recipient in installments, State shall have the

right to withhold any installments to make up reimbursement(s) received for any ineligible or unauthorized expenditure until such time as the ineligible claim is made up or corrected by Recipient.

5. Unless otherwise directed, Recipients must submit monthly reimbursement and back up documentation, by the 10th business day of the following month to receive reimbursement for project activities. Tasks by Quarter Reports reflect the status of project implementation and progress toward reaching goals. Each progress report shall describe the project status quarterly and shall be submitted to the State no later than fifteen (15) days following the end of each quarter. A Final Closeout Report must be submitted to the MS Office of Highway Safety within forty five (45) days of completion of the project (November 15th) unless otherwise directed. Appropriate forms will be provided to the Project Director along with a reminder notice advising date that each is due.

Any Recipient delinquent in submitting quarterly and/or final accomplishment reports, or reports that lack sufficient detail of progress during the period in question, will be subject to having submitted reimbursement requests withheld. Once sufficient reports to substantiate adequate progress have been submitted, reimbursement requests will be processed.

II. ON-SITE MONITORING AND EVALUATION

Pursuant to Federal guidelines, the State has developed a plan for evaluating all projects. The evaluation can include on-site monitoring both during and at the end of each grant period. All written documents will be reviewed to determine progress, problems and reimbursements of the project.

III. PROPERTY AGREEMENT

- A. Facilities and equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the MS Office of Highway Safety; or the State, by formal agreement with appropriate officials of a political subdivision, State agency, or non-profit entities.
- B. It is mutually agreed and promised that the Recipient shall immediately notify the MS Office of Highway Safety if any equipment purchased under this project ceases to be used in the manner set forth by the project agreement. In such event, Recipient further agrees to transfer or otherwise dispose of such equipment as directed by the MS Office of Highway Safety.
- C. It is mutually agreed and promised by the Recipient that no equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of the MS Office of Highway Safety.
- D. It is mutually agreed and promised that the Recipient shall maintain, or cause to be maintained for its useful life, any equipment purchased under this project.
- E. Each Recipient of Section 402 funds has a financial management system that complies with the minimum requirements of 49 CFR Part 18.
- F. Each Recipient of Section 402 funds has a procurement system that complies with the minimum requirements of 49 CFR Part 18.
- G. All equipment awarded in this project agreement/contract must be ordered within ninety (90) days after project implementation. If unforeseen circumstances arise which prohibit this being accomplished, please notify the MS Office of Highway Safety of the anticipated delay.

IV. STAFFING

Positions covered by this project that are 100% funded must be new positions. If staff of the Recipient agency transferred to work on this project, they must be replaced the vacant position with a new hire. Salaries in this project are for the purpose of remuneration for personal services over and above the present manpower level of the agency. All full time funded positions require time certification and/or detailed activity documentation as directed by MS Office of Highway Safety.

V. GENERAL PROJECT REQUIREMENTS

- A. All out-of-state travel must have prior written approval by the MS Office of Highway Safety. Requests for approval should be submitted to the MS Office of Highway Safety not less than two (2) weeks before the intended date of travel. All federal funded travel requires itemized receipts for expenses incurred as well as an authorized travel voucher. All cost must be based on current state and federal policies.
- B. No budget modification requests will be accepted by the MS Office of Highway Safety after **June 30th**.
- C. Recipient must submit any proposed agreements for contractual services to the MS Office of Highway Safety for final approval prior to acceptance. Contracts may be subject to review and approval by NHTSA.
- D. Any program income earned by projects financed in whole or in part with Federal funds must be documented and accounted for. Program income earned during the project period shall be retained by the Recipient and used for project related expenses or to offset eligible expenses.
- E. Local government Recipient must complete the "Local Governmental Resolution" included within this document, or a similar, equally binding resolution.
- F. Recipient must submit the most current copy of the following policies with the application for funding. If agency does not have a current policy, please inform the MS Office of Highway Safety of the un-availability of the policy.
 - Seat belt policy;
 - Warning citation policy;
 - Pursuit policy;
 - Overtime (STEP) policy;
 - Checkpoint policy;
 - Saturation patrol policy;
 - DUI enforcement policy;
 - Payroll policy to include: overtime, payroll schedule (payroll period begin/end dates & check date), leave policy (vacation, sick leave, holiday, & compensatory time);
 - **MAGIC-Certification of Completion (NEW);** and
 - Agency seat belt survey procedures must be provided if usage rate is identified as a goal within contract.
- G. Compliance form(s) included in this agreement of understanding, dependent upon funding source and program activities, are required to be completed as defined by the MS Office of Highway Safety.

- H. All promotional items require prior approval by the MS Office of Highway Safety before requesting. The MS Office of Highway Safety Resource Center must be used before ordering from other vendors.
- I. All training received under federal funded programs must be program related and a certificate of completion must be available for inspection.
- J. An Inventory Control form must be completed for all equipment. All equipment cost exceeding \$500.00 will be tagged with a Department of Public Safety inventory control number. All equipment will be maintained on the Recipients inventory data base.
- K. Recipient must meet all reporting, meeting(s)/scheduled events, along with all other requirements as set forth in the contract by the MS Office of Highway Safety.
- L. Termination of Agreement:
- The MS Office of Highway Safety in the event of Recipient noncompliance with any of the provisions of this agreement may terminate this agreement by giving the Recipient a thirty (30) day notice. The MS Office of Highway Safety, before issuing notice of termination of this agreement, shall allow the Recipient a reasonable opportunity to correct noncompliance issues. For noncompliance with the nondiscrimination section of this agreement or with any of the said rules, regulations or orders, this agreement may be canceled, terminated, or suspended in whole or in part.
 - The Recipient may terminate its participation in this agreement by notifying and receiving the concurrence of the MS Office of Highway Safety thirty (30) days in advance of the termination.
 - Contract Changes: Any proposed major changes in this agreement that would result in changes in the scope, character, or complexity of the agreement, as determined by the MS Office of Highway Safety, shall require supplemental agreement. Any proposed minor changes in this agreement may be authorized by the Governor's Representative of the MS Office of Highway Safety, or their delegate, by notifying the Recipient in writing of the approved changes.
 - Contracts Under This Agreement: Unless otherwise authorized in writing by the MS Office of Highway Safety, the Recipient shall not assign any portion of the work to be performed under this agreement, or execute any agreement, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this agreement without the prior written concurrence of the MS Office of Highway Safety. Any subcontract under this agreement must include all required and/or applicable clauses and provisions of this agreement.

VI. UNALLOWABLE COST

Limitations and Conditions: The provisions stated in the following section are not intended to deny flexibility in supporting potential accident and injury reduction activities; however, the conditions do serve as a guide in describing costs that are **not allowable** for highway safety funding.

The following are **unallowable**:

1. Facilities

- A. The cost of land is **not** allowable.
- B. The cost of construction or reconstruction of driving ranges, towers, and skid pads are **not** allowable.
- C. The cost of construction, rehabilitation, remodeling, or office furnishings and fixtures for State, local or private buildings or structures are **not** allowable.

- D. Cell phones, guns and office furniture are not allowable for purchase with these funds under any circumstances.

2. Equipment

- A. Costs for equipment purchases exceeding \$5,000.00 must have prior approval from NHTSA. The MS Office of Highway Safety will obtain the approval letter and provide a copy to the Recipient.
- B. Where major multi-purpose equipment is to be purchased, costs shall be factored, based on utilization for highway safety purposes.
- C. Costs for the following equipment items are allowable only if a part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL):
- (1) Police traffic radar and other speed measuring devices used by the police (devices must meet the recommended federal guidelines);
 - (2) Alcohol testing; and
 - (3) Mobile video systems.

3. Travel

- A. Except as separately approved by NHTSA and the MS Office of Highway Safety, the cost of international travel is not allowable.
- B. All requests for out-of-state travel must be approved in advance in writing by the MS Office of Highway Safety.
- C. Travel in and out of the State must be included in the Highway Safety Grant Application and subsequent project agreement/contract.
- D. Plans for out-of-state travel should be submitted with the grant application.
- E. All travel must be submitted on the MS Office of Highway Safety/Department of Public Safety Travel reimbursement voucher, Form Number 13.20.10.

4. Training

- A. The cost of training is allowable using DOT/NHTSA developed, equivalent, or endorsed curriculum. Training must be approved in advance.
- B. Development costs of new training curriculum and materials are allowable if they will not duplicate materials already developed for similar purposes by DOT/NHTSA or by other states. This does not preclude modifications of present materials necessary to meet particular state and local instructional needs.
- C. Costs are not allowable to pay for an employee's salary while pursuing training, nor to pay the salary of the employee's replacement except where the employee's salary is supported 100% with 402 funds under an approved project.
- D. Proposed training must be included with the grant application. Only DUI/alcohol training is allowed under alcohol funding. Occupant protection training is allowed under occupant protection funding.

5. Program Administration

Supplanting, includes: (a) replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or (b) using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local, or Federally-recognized Indian tribal governments.

6. Public Communications

Cost to purchase program advertising space in the mass communication media is not allowable for sub-grantees.

CERTIFICATIONS AND ASSURANCES
FEDERAL CERTIFICATIONS AND ASSURANCES

VII. NONDISCRIMINATION-(Applies to subrecipients as well as States)

The Subgrantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

VIII. THE DRUG-FREE WORKPLACE ACT OF 1988 (41USC 8103)

The Subgrantee will provide a drug-free workplace by:

- 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;
- Establishing a drug-free awareness program to inform employees about:
 - The dangers of drug abuse in the workplace.
 - The grantee's policy of maintaining a drug-free workplace.
 - Any available drug counseling, rehabilitation, and employee assistance programs.
 - The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 - Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-
 - Abide by the terms of the statement.
 - Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.

- Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
 - Taking appropriate personnel action against such an employee, up to and including termination.
 - Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

IX. BUY AMERICA ACT-(Applies to subrecipients as well as States)

The Subgrantee will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

X. POLITICAL ACTIVITY (HATCH ACT) -(Applies to subrecipients as well as States)

The Subgrantee will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XI. CERTIFICATION REGARDING LOBBYING- (Applies to subrecipients as well as States)

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

XII. RESTRICTION ON STATE LOBBYING-(Applies to subrecipients as well as States)

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

XIII. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION-(Applies to sub-recipients as well as States)

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal 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 record, 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/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

IX. POLICY ON SEATBELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's Web site at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, DC metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its Web site at www.trafficsafety.org.

X. POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, MS Office of Highway Safety encourages to adopt and enforce workplace safety policies to decrease crashed caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, leased or rented vehicles, or privately-owned while on official Government grant business or when performing any work on or behalf of the Government grant. MOHS also encourages subgrantees to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

XI. ENVIRONMENTAL IMPACT

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan is modified in a manner that could result in a significant environmental impact and trigger the need for an environmental review, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

STATE CERTIFICATION AND ASSURANCE

CERTIFICATION AND STANDARD ASSURANCE REQUIREMENT FOR: RECIPIENT GRANTEES AND SUB-GRANTEES CONCERNING: STATE, COUNTY AND LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES

When truly applicable and in full cooperation with the MS Office of Highway Safety, all grant and/or sub-grant recipients (regardless of the type of entity or the amount awarded) must show substantial compliance with the following statutory requirement:

On or after January 1, 2005, each state, county and local law enforcement agency that conducts Emergency response and vehicular pursuits shall adopt written policies and training procedures that set forth the manner in which these operations shall be conducted. Each law enforcement agency may create its own policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

MS Code Annotated § 45-1-43, effective from and after July 1, 2004.

The obligation of a recipient is to formulate, implement, and maintain certain written pursuit policies and training procedures which specifically set forth how these operations shall be conducted in accordance with State law. Note that "recipient" means any state, county or local law enforcement agency that conducts emergency response and vehicular pursuits and which may also receive any state funding or state administered federal funding.

A true copy of the law enforcement agency's emergency response and vehicular pursuit policy with pertinent training procedures must be included as an attachment to this Certification and Standard Assurance document. However, when otherwise allowed to submit an alternative for the required documentary confirmation, recipient must specifically identify and acknowledge the use of viable pertinent policies and training procedures, as these factors may be especially expressed through an appropriate letter or timely memorandum of understanding. All relevant information submitted or received shall become an actual documented part of the grant application and thus will be placed within the MOHS master file for grants.

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient does not show compliance with the statute emphasized above, the grantee, sub-grantee or recipient is subject to the withholding of any state funding or state administered federal funding. Failure of grantee, sub-grantee or recipient to communicate the relevant policy that is required by statute may lead to adverse cost adjustment, disallowance of costs and/or recovery of pertinent project funds. Such recovery may be accomplished on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official, I certify by my signature below, that I have fully read and I am cognizant of our duties and responsibilities under the emergency response and vehicular pursuit policies statute. Therefore, I hereby comply with this Certification and Standard Assurance requirement by submitting a true copy of the applicable state, county or local emergency response and vehicular pursuit policies with training procedures which are pertinent to this organization.

* * * * *

[ATTACH TO THIS DOCUMENT: ALL APPLICABLE STATE, COUNTY OR LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES WITH TRAINING PROCEDURES]

is original signed form, together with the pertinent state, county or local policies to include but not limited to the emergency response and vehicular pursuit policies with training procedures must be returned to the Mississippi Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, upon approval of the contract and prior to the beginning date.

MS OFFICE OF HIGHWAY SAFETY CERTIFICATIONS AND ASSURANCES
ALCOHOL/ LAW ENFORCEMENT LIASION (LEL) HIGH VISIBILITY ENFORCEMENT (HVE)
PARTICIPATION COMPLIANCE

1. Each agency with a LEL Network Coordinator Grant must hold at least one quarterly T.E.N. (Traffic Enforcement Network) meeting to promote State/County/Local networking, the national blitz campaigns, blitz reporting, and PI&E effort. **(LEL Only)**
2. Each agency with a LEL Network Coordinator Grant must allow the LEL network coordinators to assist the MS Office of Highway Safety in promoting and gathering statistics from the NHTSA national blitz campaigns. **(LEL Only)**
3. Each agency must engage in four (4) sustained enforcement blitz periods during the national campaigns for Christmas/New Year's, Memorial Day, and the Labor Day Holiday by conducting checkpoints and/or saturation patrols. Each agency must also engage in two (2) sustained enforcement blitz periods during Super Bowl Sunday, and the 4th of July Holiday Period by conducting checkpoints and/or saturation patrols during the state campaigns.

For each of the national blitz campaigns, each agency must maintain relevant statistics and must submit a mobilization form reporting the total number of checkpoints, saturation patrols, DUI arrests and other citations/relevant statistics by the deadline. (Mobilization forms must be submitted by the deadline set forth by the MS Office of Highway Safety.)

5. Each agency must generate earned media (example: press conference, TV ads, radio ads or print news articles) before, during, or after High Visibility Enforcement (HVE) state and national campaign events and must submit documentation with each quarterly report.

Law Enforcement agencies will use the following criteria to help identify locations in each city/county for intensified enforcement including sobriety checkpoints and saturation patrols.

- ☐ Unusual incidents of alcohol/ drug related crashes;
- ☐ Alcohol/ drug impaired driving violations;
- ☐ Unusual number of nighttime single vehicle crashes;
- ☐ Any other documented alcohol/ drug related vehicular incidents; and
- ☐ Citation data related to restrained and unrestrained occupants

Enforcement agencies are strongly advised to ensure the site itself has maximum visibility from each direction and has sufficient illumination to ensure safety during night inspection.

DUI ENFORCEMENT COMPLIANCE

Agency Heads of law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of DUI Enforcement must comply with the following:

1. Subgrantee agrees and commits to have the DUI Officer (if applicable) and/or other officers assigned to work DUI overtime to engage their efforts during peak hours when most impaired drivers are likely driving under the influence. Shift hours *will include 4:00 p.m. and no later than 7:00 a.m.* for the Full Time DUI Officer(s). Overtime hours for DUI Enforcement *will include 4:00 p.m. and no later than 7:00 a.m.* and *will include* Thursdays, Fridays and Saturdays.

If proper justification can be made regarding other time periods within the jurisdiction for needed enforcement, a written request can be made to MOHS for consideration and approval. However, written approval must be given by MOHS prior to implementing hours and day of week outside the above shifts.

2. Specific DUI activities in which the DUI officer (if applicable) and/or other officers working overtime will include checkpoints, saturation patrols and other impaired driving enforcement activities as designated.
3. Agency will engage in national campaigns endorsed by the National Highway Traffic Safety Administration.
4. Agency will also engage in all activities as described in the High Visibility Enforcement (HVE) Participation Compliance.

OCCUPANT PROTECTION HIGH VISIBILITY ENFORCEMENT (HVE)

Each agency funded under a 402/405(b) Occupant Protection Federal grant must participate in the National Click It or Ticket Campaign Mobilization and Child Passenger Safety week. Forms containing the number of child restraint/safety belt citations, etc. must be submitted by the reporting deadline set forth by the MS Office of Highway Safety for the National Click It or Ticket Campaign.

Each agency must generate earned media (example: press conference, TV ads, radio ads or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each quarterly report.

SUBGRANTEE/LEL PROMOTIONAL/INCENTIVE COMPLIANCE

All Current MS Office of Highway Safety subgrantee must adhere to the following compliance when ordering from the MS Office of Highway Safety Resource Center, receiving and distributing promotional items for the project:

****All Subgrantees must have prior approval in writing by MOHS before making any request related to promotional/incentive items. A distribution plan must be submitted for approval by the program manager as well.**

Promotional items: Items from the MS Office of Highway Safety Resource Center must be used to promote the programs in which are funded. Items to be given away should further enhance the public's

knowledge and awareness of the program the agency is implementing with federal funding. Items can be distributed during educational presentations and seminars for area schools, colleges, civic clubs, participating agencies and the general public to make aware of the current data and dangers attributed to your program.

EQUIPMENT CERTIFICATION:

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the sub-grantee; or the State, through formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes. (23 CFR 1200.21)

Costs for equipment items are allowable only as part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL), where applicable.

All Subgrantees must have **prior written approval from MOHS before making any purchase related to equipment.

MAGIC CERTIFICATION:

Each agency funded under a federal grant must participate in the Mississippi Accountability System for Government Information and Collaboration (MAGIC). Each agency must complete the sub-grantee e-learning training course for understanding of the MAGIC system. Each agency must comply with all MAGIC requirements for reporting, payment and data collection. Each agency will be required to submit a copy of the Certification of Completion of the MAGIC e-learning training course to the MS Office of Highway Safety before the grant is awarded and any payments are reimbursed.

DEBARMENT CERTIFICATION:

I, MAYOR PHIL FISHER (Signatory Official) do hereby certify that CITY OF CLINTON POLICE DEPARTMENT (sub-grantee/agency) is not or has not been barred from contracting or entering into contracting with the MS Office of Highway Safety for a project/ projects utilizing federal funds.



Signatory Official

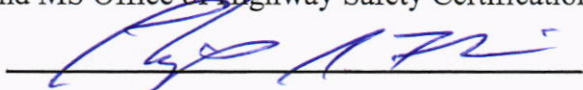
Assurance Requirement of Subgrant Recipients:

cooperation with the MS Office of Highway Safety, all grant and/or subgrant recipients (regardless of the type of entity or the amount awarded) must comply with the following notice requirement:

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient: plans, organizes, sponsors or holds any seminar, conference, convention, symposium, training, event or any other meeting which encumbers, utilizes, expends or will encumber, utilize or expend grant funds, including all reimbursements derived from, generated in whole or in part, or determined to be proceeds of the grant or award; the grantee, sub-grantee or recipient must appropriately notify in writing, the MS Office of Highway Safety program manager, the MS Office of Highway Safety Director and/or the Department of Public Safety Planning Executive Director of the planning for such an occurrence and afford opportunity for Department of Public Safety Planning- MS Office of Highway Safety personnel to attend and to participate, if they so desire.

Failure of grantee, sub-grantee or recipient to communicate relevant advance notice may lead to cost adjustment, disallowance of costs and/or recovery of pertinent project funds on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official for, CITY OF CLINTON POLICE DEPARTMENT (grantee, sub-grantee, or recipient), I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under this requirement. Therefore, I promise and will comply with all Federal, State and MS Office of Highway Safety Certifications and Assurances and their conditions.



Authorized Official's Signature
(Grantee, Sub-grantee or Recipient)

9/18/14

Date

PHILIP R FISHER

[Typed or Printed Name]

MAYOR

[Person's Organizational Title]

* * * * *

This original signed form (blue ink only) must be returned to the MS Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within 10 days of the grant award beginning date.

LOCAL GOVERNMENTAL RESOLUTION AGREEMENT AND AUTHORIZATION TO PROCEED

WHEREAS, the CITY OF CLINTON
(Governing Body of Unit of Government)

in called the "SUBGRANTEE" has thoroughly considered the problem addressed in the application (entitled) POLICE TRAFFIC SERVICES and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the Mississippi Office of Highway Safety to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF CLINTON
(Governing Body of Unit of Government)

IN OPEN MEETING ASSEMBLED IN THE CITY OF CLINTON MISSISSIPPI,
THIS 16th Day of SEPTEMBER, 20 14 AS FOLLOWS:

1. That the project above is in the best interest of the Recipient and the general public.
2. That the MAYOR PHIL FISHER
(Name and Title of Representative)

Subgrantee an award in the form prescribed by the MS Office of Highway Safety for federal funding in the amount of \$ 72,283.00
(Federal Dollar Requested) to be made to the Subgrantee defraying the cost of the project described in the award.

3. That the Subgrantee has formally agreed to provide a cash and/or in-kind contribution of \$ 0
(Local Match Amount) as required by the project. (If Applicable)
4. That certified copies of this resolution be included as part of the award referenced above.
5. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING BY: Phil Fisher
(Chairman/Mayor - Blue Ink)

Commissioner/Councilman Ellis offered the foregoing resolution and moved its adoption, which was seconded by Commissioner/Councilman Martin and, was duly adopted.

Date: SEPTEMBER 16, 2014

Attest: Russell Wall

By: RUSSELL L WALL, CITY CLERK
(Blue Ink)





STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR

ALBERT SANTA CRUZ
COMMISSIONER

September 30, 2014

The Honorable Phil Fisher, Mayor
Clinton Police Department
305 Monroe Street
Clinton, MS 39056

Project Number: 15-ST-206-1
Title: Impaired Driving
Effective Date: October 1, 2014 thru September 30, 2015
Funding Amount: \$59,701.00

Dear Mayor Fisher:

The MS Office of Highway Safety (MOHS) is pleased to announce that your agency has been approved for an Impaired Driving grant for the Federal Fiscal Year 2015 beginning October 1, 2014. Program activities must remain within the scope of the funding source shown above and must be implemented in accordance with the National Highway Traffic Safety Administration (NHTSA) Guidelines specific to this funding source.

These guidelines can be found in the "Highway Safety Grant Funding Policy for NHTSA/FHWA Field-Administered Grants manual" located on the web at the following address: <http://www.nhtsa.gov/About+NHTSA/Programs+&+Grants/Resources+Guide>. We encourage you to review these guidelines to ensure compliance.

Enclosed is a signed agreement obligating federal funds as outlined above. Your attention is directed to the Agreement of Understanding which governs the grant. Strict adherence to these provisions is essential to ensure compliance with applicable federal and state statutes, rules, regulations and guidelines.

Please contact your Program Manager [Manager's Name] @ [601.977.xxxx] if you have any questions concerning your project. You may contact [Director's Name, Title] @ [601.977.xxxx], if you are unable to reach the Program Manager.

Sincerely,


Shirley Thomas, Office Director
Mississippi Governor's Representative

SJT
Enclosures



STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR

ALBERT SANTA CRUZ
COMMISSIONER

August 15, 2014
The Honorable Phil Fisher, Mayor
Clinton Police Department
305 Monroe Street
Clinton, MS 39056

Project Number: 15-ST-206-1

Effective Date: **October 1, 2014**

Dear Mayor Fisher:

The MS Office of Highway Safety (MOHS) is pleased to inform you that the grant application for the 2015 **Impaired Driving** in the amount of **\$59,701.00** has been approved. Enclosed are the contractual items needed to finalize the award agreement. Please return three (3) original contract documents signed in **blue** ink:

- | | |
|--|--|
| 1) Sub-grant Signature Sheet | 4) Budget Summary |
| 2) Target, Performance Measures and Strategy | 5) Cost Summary Support Sheet |
| 3) Project Task by Quarter | 6) Agreement of Understanding and Compliance |

The Agreement of Understanding contains all State and Federal requirements, guidelines, compliances, certifications and assurances, resolutions, approval signatures, required policies, etc. The Agreement is legally binding once approved and agreed upon by both parties via appropriate signatures. Please thoroughly read all documents.

All of the enclosed documents must be signed, where applicable, and returned within 30 days after receipt of this notice. You will later receive notice of the FY15 implementation meeting where you will receive an award letter and one (1) original contract.

Should you have any questions or need additional information, please contact Sandra Moffett at 601-977-3700 or smoffett@dps.ms.gov

Sincerely,

A handwritten signature in cursive script that reads "Shirley Thomas".

Shirley Thomas, Office Director
Governor's Representative

SJT
Enclosures

FY15 SUBGRANT SIGNATURE SHEET

MS Office of Highway Safety

1025 Northpark Drive

Ridgeland, MS 39157

Phone: (601) 977-3700; Fax: (601) 977-3701

RECEIVED
OCT 03 2014
HIGHWAY SAFETY

1. Subgrantee's Name, Address and Phone No. Clinton Police Department 305 Monroe Street Clinton, MS 39056 Program Title: Alcohol/Drug Impaired Driving Enforcement Program Telephone: (601)924-5252 FAX: (601)-924-7867 E-Mail: warren108@clintonpd.org		2. Effective Date: October 1, 2015 3. Subgrant Number: 15-ST-206-1 4. Grant Identifier (Funding Source & Year): MAP21 – 154 Impaired Driving 5. Beginning and Ending Dates: 10/1/2014-9/30/2015 6. Subgrant Payment Method: <u> X </u> Cost Reimbursement Method	
7. CFDA # -	8. DUNS # - 969956366	9. Congressional District - 2	10. FAIN #: 18X9205464MS15
11. The following funds are obligated:			
A. COST CATEGORY		B. SOURCE OF FUNDS	
(1) Personal Services-Salary	\$43,000.04	(1) Federal	\$59,701.00
(2) Personal Services-Fringe	\$8,892.01	(2) State	
(3) Contractual Services	\$300.00	(3) Local	
(4) Travel	\$1713.00	(4) Other	
(5) Equipment	\$5,795.95		
(6) Other			
TOTAL	\$59,701.00	TOTAL	\$59,701.00
100%			
The Subgrantee agrees to operate the program outlined in this subcontract in accordance with all provisions of this subcontract as included herein. The following sections are attached and incorporated into this agreement: Final Approved Agreement which includes: Sub-Grantee Signature Sheet; Sub-Grantee Targets, Performance Measures and Strategies; Task by Quarter; Budget Summary; Cost Summary Support Sheet; and required agency's policies and procedures and Agreement of Understanding and Compliances. All policies, terms, conditions, and provisions listed in guidelines, grant agreement, and agreement of understanding which has been provided to Subgrantee, are also incorporated into this agreement, and Subgrantee agrees to fully comply therewith.			
12. Approved for Grantee: Date <u>10/7/14</u>		13. Approved for Subgrantee: Date <u>9/17/15</u>	
Signature _____ Date _____ Name: Shirley Thomas Title: Office Director/MS Governor's Representative Department of Public Safety, Division of Public Safety Planning, MS Office of Highway Safety		Signature _____ Date _____ Name: <u>Phil Fisher</u> Title: <u>Mayor</u>	

FY15 Sub-Grantee-Targets, Performance Measures and Strategies

Agency Name: _____ Clinton PD _____

Targets:

Reduce alcohol related crashes from (14) in FY13 to (10) by the end of FY15 and maintain (0) alcohol related fatality crashes in FY15.

Performance Measures:

Increase DUI citations from (78) in 2013 to (120) during FY15

Strategies:

- Utilize 1 full time DUI officers for enforcement
- Over time enforcement
- Check points
- Saturation Patrols
- Publicize patrol activities

FY15 TASK BY QUARTER

AGENCY NAME: _____ Clinton PD _____

PROJECTION TASK BY QUARTERS:

Please include information regarding Blitz participation, if agency is participating in a Blitz during quarter.

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

1st QUARTER (OCTOBER, NOVEMBER & DECEMBER)

Purchase approved equipment during 1st quarter for the grant year.

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 4 checkpoints during quarter. (If Applicable)

Conduct not less than 4 saturation patrols during quarter. (If Applicable)

Issue not less than a minimum of (30) DUI citations during quarter, to reach % goal of (120) for FY2015. (If Applicable)

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

OHS instate training is applicable.

Projected Expenditures for Quarter: \$19,240.56

FY15 TASK BY QUARTER

AGENCY NAME: _____ Clinton PD _____

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

2nd QUARTER (JANUARY, FEBRUARY & MARCH)

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 4 checkpoints during quarter. (If Applicable)

Conduct not less than 4 saturation patrols during quarter. (If Applicable)

Issue not less than a minimum of (30) DUI citations during quarter, to reach % goal of (120) for FY2015. (If Applicable)

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

OHS instate training is applicable.

Projected Expenditures for Quarter: \$13,144.61

FY15 TASK BY QUARTER

AGENCY NAME: _____ Clinton PD _____

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

3RD QUARTER (APRIL, MAY & JUNE)

Submit request for promotional items within quarter.

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than __4__ checkpoints during quarter. (If Applicable)

Conduct not less than __4__ saturation patrols during quarter. (If Applicable)

Issue not less than a minimum of (30) DUI citations during quarter, to reach __% goal of (120) for FY2015. (If Applicable)

Agency will conduct a not less than __1__ school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

OHS instate training is applicable.

Projected Expenditures for Quarter: \$13,144.61

FY15 TASK BY QUARTER

AGENCY NAME: _____ Clinton PD _____

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters.

Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

4TH QUARTER (JULY, AUGUST & SEPTEMBER)

Submit request for promotional items within quarter.

Conduct not less than 4 checkpoints during quarter. (If Applicable)

Conduct not less than 4 saturation patrols during quarter. (If Applicable)

Issue not less than a minimum of (30) DUI citations during quarter, to reach % goal of (120) for FY2015. (If Applicable)

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in contract by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Quarterly Progress reports, etc.)

Additional Tasks:

OHS instate training is applicable.

Attend STARS Conference

Projected Expenditures for Quarter: \$14,171.22

FY15 MS OFFICE OF HIGHWAY SAFETY BUDGET SUMMARY

1. Applicant Agency: Clinton PD		3. Grant ID: FY15 154	4. Beginning: October 1, 2014	Ending: September 30, 2015		
2. Subgrant Number: 15-ST-206-1	7. Funding Request: ☒	8. Modification Number: _____		9. Modification Effective Date: _____		
6. Submitted as part of (Check One): _____						
Funding Sources						
10. For MOHS Use Only	11. Activity	Federal	State	Program Income	Other (Local-Private)	Total
	FY15 Impaired Driving	\$59,701.00				\$59,701.00
TOTAL		\$59,701.00				\$59,701.00

**FY15 Mississippi Office of Highway Safety
COST SUMMARY SUPPORT SHEET**

1. Applicant Agency: Clinton PD		3. Grant ID: FY15 154	4. Beginning: October 1, 2014	5. Ending: September 30, 2015
2. Subgrant Number: 15-ST-206-1				
6. Activity: Impaired Driving				
7. MOHS Use Only	8. Category	10. Description of item and/or Basis for Valuation	11. Budget	
	9. Line Item		Federal	All Other
	Salary & Wages	1-Fulltime DUI Officer @ \$18.27 x 2079,9148 hrs = \$38,000.04 OT for DUI Enforcement @ an average rate of \$25.00 per hour at approximately 200 hours = \$5,000.00 Total Salaries not to exceed- \$43,000.04	\$43,000.04	
	Fringe	FICA (7.65%-Employer) Retirement (15.75%-Employer)= 23.40% 1 FT DUI Officer @ \$38,000.04x 23.40% = \$8,892.01 Total Fringe not to exceed: \$8,892.01		\$8,892.01
	Contractual Services	Shipping & Handling- \$300.00 Highway Safety STARS Conference-Hotel @\$105 per night X's 3 nights =315.00 Hotel Taxes @ 10%= \$31.50 Meals: 1st day @ \$34.50 + 2nd day @ \$35.00+ 3rd day @\$35.00+4th day @\$34.50= \$139.00 Gratuity for meals @ 20% = \$27.80 Total for STARS Conference = \$513.30	\$300.00	\$300.00
	Training		\$1713.00	\$1713.00

Mississippi Office of Highway Safety

FY15 Agreement of Understanding and Compliance

This agreement made and entered into by and between the State of Mississippi by and through the MS Office of Highway Safety, hereinafter referred to as State, and the Governmental Unit or agency named in this application, hereinafter referred to as Recipient.

WHEREAS, the National Highway Traffic Safety Act of 1966, as amended, provides Federal funds to the State for approved highway safety projects for the purpose of reducing injuries and fatalities as result of motor vehicle crashes, and

WHEREAS, the State may make said funds available to state, county, and municipal agencies and/or government or political subdivisions and/or non-profit entities upon application and approval by State and the National Highway Traffic Safety Administration (NHTSA) if applicable, and

WHEREAS, the Recipient must comply with the requirements listed herein, to be eligible for Federal funds in approved highway safety projects, and

WHEREAS, the State is obligated to reimburse NHTSA out of its funds for any ineligible or unauthorized expenditures for which Federal funds have been claimed and payment received, and

WHEREAS, the Recipient has submitted an application for Federal funds for highway safety projects:

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENSES

1. It is mutually agreed that upon written application by Recipient and approval by State and NHTSA (if applicable), State will obligate Federal funds to Recipient account for reimbursement of eligible expenditures as set forth in the application.
2. It is understood that the State has the right to monitor and pre-audit any and all claims presented for reimbursement. Arrangements have been made for the financial and compliance audit required by OMB Circular A-133, which is to be conducted within the prescribed audit reporting cycle (failure to furnish an acceptable audit, as determined by the cognizant Federal agency, may result in denial or require return of Federal funds). It is mutually agreed and promised that Recipient reimburse State for any ineligible or unauthorized expenditure for which Federal funds have been claimed and payment received as determined by a State or Federal audit.
3. It is also understood, pursuant to Section 18.42(e)(1) of Title 49 Code of Federal Regulations, the awarding agency and the Comptroller General of the United States, or any of their authorized representatives (such as National Highway Traffic Administration otherwise known as NHTSA), shall have the right of access to any pertinent books, documents, papers, or other records of grantees and sub-grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.
4. It is further agreed that where reimbursement is made to Recipient in installments, State shall have the right to withhold any installments to make up reimbursement(s) received for any ineligible or

unauthorized expenditure until such time as the ineligible claim is made up or corrected by Recipient.

5. Unless otherwise directed, Recipients must submit monthly reimbursement and back up documentation, by the 10th business day of the following month to receive reimbursement for project activities. Tasks by Quarter Reports reflect the status of project implementation and progress toward reaching goals. Each progress report shall describe the project status quarterly and shall be submitted to the State no later than fifteen (15) days following the end of each quarter. A Final Closeout Report must be submitted to the MS Office of Highway Safety within forty five (45) days of completion of the project (November 15th) unless otherwise directed. Appropriate forms will be provided to the Project Director along with a reminder notice advising date that each is due.

Any Recipient delinquent in submitting quarterly and/or final accomplishment reports, or reports that lack sufficient detail of progress during the period in question, will be subject to having submitted reimbursement requests withheld. Once sufficient reports to substantiate adequate progress have been submitted, reimbursement requests will be processed.

II. ON-SITE MONITORING AND EVALUATION

Pursuant to Federal guidelines, the State has developed a plan for evaluating all projects. The evaluation can include on-site monitoring both during and at the end of each grant period. All written documents will be reviewed to determine progress, problems and reimbursements of the project.

III. PROPERTY AGREEMENT

- A. Facilities and equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the MS Office of Highway Safety; or the State, by formal agreement with appropriate officials of a political subdivision, State agency, or non-profit entities.
- B. It is mutually agreed and promised that the Recipient shall immediately notify the MS Office of Highway Safety if any equipment purchased under this project ceases to be used in the manner set forth by the project agreement. In such event, Recipient further agrees to transfer or otherwise dispose of such equipment as directed by the MS Office of Highway Safety.
- C. It is mutually agreed and promised by the Recipient that no equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of the MS Office of Highway Safety.
- D. It is mutually agreed and promised that the Recipient shall maintain, or cause to be maintained for its useful life, any equipment purchased under this project.
- E. Each Recipient of Section 402 funds has a financial management system that complies with the minimum requirements of 49 CFR Part 18.
- F. Each Recipient of Section 402 funds has a procurement system that complies with the minimum requirements of 49 CFR Part 18.
- G. All equipment awarded in this project agreement/contract must be ordered within ninety (90) days after project implementation. If unforeseen circumstances arise which prohibit this being accomplished, please notify the MS Office of Highway Safety of the anticipated delay.

IV. STAFFING

sitions covered by this project that are 100% funded must be new positions. If staff of the Recipient agency is transferred to work on this project, they must be replaced the vacant position with a new hire. Salaries in this project are for the purpose of remuneration for personal services over and above the present manpower level of the agency. All full time funded positions require time certification and/or detailed activity documentation as directed by MS Office of Highway Safety.

V. GENERAL PROJECT REQUIREMENTS

- A. All out-of-state travel must have prior written approval by the MS Office of Highway Safety. Requests for approval should be submitted to the MS Office of Highway Safety not less than two (2) weeks before the intended date of travel. All federal funded travel requires itemized receipts for expenses incurred as well as an authorized travel voucher. All cost must be based on current state and federal policies.
- B. No budget modification requests will be accepted by the MS Office of Highway Safety after **June 30th**.
- C. Recipient must submit any proposed agreements for contractual services to the MS Office of Highway Safety for final approval prior to acceptance. Contracts may be subject to review and approval by NHTSA.
- D. Any program income earned by projects financed in whole or in part with Federal funds must be documented and accounted for. Program income earned during the project period shall be retained by the Recipient and used for project related expenses or to offset eligible expenses.
- E. Local government Recipient must complete the "Local Governmental Resolution" included within this document, or a similar, equally binding resolution.
- F. Recipient must submit the most current copy of the following policies with the application for funding. If agency does not have a current policy, please inform the MS Office of Highway Safety of the un-availability of the policy.
 - Seat belt policy;
 - Warning citation policy;
 - Pursuit policy;
 - Overtime (STEP) policy;
 - Checkpoint policy;
 - Saturation patrol policy;
 - DUI enforcement policy;
 - Payroll policy to include: overtime, payroll schedule (payroll period begin/end dates & check date), leave policy (vacation, sick leave, holiday, & compensatory time);
 - **MAGIC-Certification of Completion (NEW)**; and
 - Agency seat belt survey procedures must be provided if usage rate is identified as a goal within contract.
- G. Compliance form(s) included in this agreement of understanding, dependent upon funding source and program activities, are required to be completed as defined by the MS Office of Highway Safety.

- H. All promotional items require prior approval by the MS Office of Highway Safety before requesting. The MS Office of Highway Safety Resource Center must be used before ordering from other vendors.
- I. All training received under federal funded programs must be program related and a certificate of completion must be available for inspection.
- J. An Inventory Control form must be completed for all equipment. All equipment cost exceeding \$500.00 will be tagged with a Department of Public Safety inventory control number. All equipment will be maintained on the Recipients inventory data base.
- K. Recipient must meet all reporting, meeting(s)/scheduled events, along with all other requirements as set forth in the contract by the MS Office of Highway Safety.
- L. Termination of Agreement:
- The MS Office of Highway Safety in the event of Recipient noncompliance with any of the provisions of this agreement may terminate this agreement by giving the Recipient a thirty (30) day notice. The MS Office of Highway Safety, before issuing notice of termination of this agreement, shall allow the Recipient a reasonable opportunity to correct noncompliance issues. For noncompliance with the nondiscrimination section of this agreement or with any of the said rules, regulations or orders, this agreement may be canceled, terminated, or suspended in whole or in part.
 - The Recipient may terminate its participation in this agreement by notifying and receiving the concurrence of the MS Office of Highway Safety thirty (30) days in advance of the termination.
 - Contract Changes: Any proposed major changes in this agreement that would result in changes in the scope, character, or complexity of the agreement, as determined by the MS Office of Highway Safety, shall require supplemental agreement. Any proposed minor changes in this agreement may be authorized by the Governor's Representative of the MS Office of Highway Safety, or their delegate, by notifying the Recipient in writing of the approved changes.
 - Contracts Under This Agreement: Unless otherwise authorized in writing by the MS Office of Highway Safety, the Recipient shall not assign any portion of the work to be performed under this agreement, or execute any agreement, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this agreement without the prior written concurrence of the MS Office of Highway Safety. Any subcontract under this agreement must include all required and/or applicable clauses and provisions of this agreement.

VI. UNALLOWABLE COST

Limitations and Conditions: The provisions stated in the following section are not intended to deny flexibility in supporting potential accident and injury reduction activities; however, the conditions do serve as a guide in describing costs that are **not allowable** for highway safety funding.

The following are **unallowable**:

1. Facilities

- A. The cost of land is **not** allowable.
- B. The cost of construction or reconstruction of driving ranges, towers, and skid pads are **not** allowable.

- C. The cost of construction, rehabilitation, remodeling, or office furnishings and fixtures for State, local or private buildings or structures are not allowable.
- D. Cell phones, guns and office furniture are not allowable for purchase with these funds under any circumstances.

2. Equipment

- A. Costs for equipment purchases exceeding \$5,000.00 must have prior approval from NHTSA. The MS Office of Highway Safety will obtain the approval letter and provide a copy to the Recipient.
- B. Where major multi-purpose equipment is to be purchased, costs shall be factored, based on utilization for highway safety purposes.
- C. Costs for the following equipment items are allowable only if a part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL):
 - (1) Police traffic radar and other speed measuring devices used by the police (devices must meet the recommended federal guidelines);
 - (2) Alcohol testing; and
 - (3) Mobile video systems.

3. Travel

- A. Except as separately approved by NHTSA and the MS Office of Highway Safety, the cost of international travel is not allowable.
- B. All requests for out-of-state travel must be approved in advance in writing by the MS Office of Highway Safety.
- C. Travel in and out of the State must be included in the Highway Safety Grant Application and subsequent project agreement/contract.
- D. Plans for out-of-state travel should be submitted with the grant application.
- E. All travel must be submitted on the MS Office of Highway Safety/Department of Public Safety Travel reimbursement voucher, Form Number 13.20.10.

4. Training

- A. The cost of training is allowable using DOT/NHTSA developed, equivalent, or endorsed curriculum. Training must be approved in advance.
- B. Development costs of new training curriculum and materials are allowable if they will not duplicate materials already developed for similar purposes by DOT/NHTSA or by other states. This does not preclude modifications of present materials necessary to meet particular state and local instructional needs.
- C. Costs are not allowable to pay for an employee's salary while pursuing training, nor to pay the salary of the employee's replacement except where the employee's salary is supported 100% with 402 funds under an approved project.
- D. Proposed training must be included with the grant application. Only DUI/alcohol training is allowed under alcohol funding. Occupant protection training is allowed under occupant protection funding.

5. Program Administration

Supplanting, includes: (a) replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or (b) using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local, or Federally-recognized Indian tribal governments.

6. Public Communications

Cost to purchase program advertising space in the mass communication media is not allowable for sub-grantees.

CERTIFICATIONS AND ASSURANCES
FEDERAL CERTIFICATIONS AND ASSURANCES

VII. NONDISCRIMINATION-(Applies to subrecipients as well as States)

The Subgrantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

VIII. THE DRUG-FREE WORKPLACE ACT OF 1988 (41USC 8103)

The Subgrantee will provide a drug-free workplace by:

- 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;
- Establishing a drug-free awareness program to inform employees about:
 - The dangers of drug abuse in the workplace.
 - The grantee's policy of maintaining a drug-free workplace.
 - Any available drug counseling, rehabilitation, and employee assistance programs.
 - The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 - Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-
 - Abide by the terms of the statement.
 - Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

- Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
 - Taking appropriate personnel action against such an employee, up to and including termination.
 - Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

IX. BUY AMERICA ACT-(Applies to subrecipients as well as States)

The Subgrantee will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT) -(Applies to subrecipients as well as States)

The Subgrantee will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XI. CERTIFICATION REGARDING LOBBYING- (Applies to subrecipients as well as States)

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification all be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

XII. RESTRICTION ON STATE LOBBYING-(Applies to subrecipients as well as States)

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

XIII. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION-(Applies to sub-recipients as well as States)

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared

ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal 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 record, 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/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

IX. POLICY ON SEATBELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's Web site at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, DC metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its Web site at www.trafficsafety.org.

X. POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, MS Office of Highway Safety encourages to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, leased or rented vehicles, or privately-owned while on official Government grant business or when performing any work on or behalf of the Government grant. MOHS also encourages subgrantees to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

XI. ENVIRONMENTAL IMPACT

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan is modified in a manner that could result in a significant environmental impact and trigger the need for an environmental review, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

STATE CERTIFICATION AND ASSURANCE

CERTIFICATION AND STANDARD ASSURANCE REQUIREMENT FOR: RECIPIENT GRANTEES AND SUB-GRANTEES CONCERNING: STATE, COUNTY AND LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES

When truly applicable and in full cooperation with the MS Office of Highway Safety, all grant and/or sub-grant recipients (regardless of the type of entity or the amount awarded) must show substantial compliance with the following statutory requirement:

On or after January 1, 2005, each state, county and local law enforcement agency that conducts Emergency response and vehicular pursuits shall adopt written policies and training procedures that set forth the manner in which these operations shall be conducted. Each law enforcement agency may create its own policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

MS Code Annotated § 45-1-43, effective from and after July 1, 2004.

The obligation of a recipient is to formulate, implement, and maintain certain written pursuit policies and training procedures which specifically set forth how these operations shall be conducted in accordance with State law. Note that "recipient" means any state, county or local law enforcement agency that conducts emergency response and vehicular pursuits and which may also receive any state funding or state administered federal funding.

A true copy of the law enforcement agency's emergency response and vehicular pursuit policy with pertinent training procedures must be included as an attachment to this Certification and Standard Assurance document. However, when otherwise allowed to submit an alternative for the required documentary confirmation, recipient must specifically identify and acknowledge the use of viable pertinent policies and training procedures, as these factors may be especially expressed through an appropriate letter or timely memorandum of understanding. All relevant information submitted or received shall become an actual documented part of the grant application and thus will be placed within the MOHS master file for grants.

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient does not show compliance with the statute emphasized above, the grantee, sub-grantee or recipient is subject to the withholding of any state funding or state administered federal funding. Failure of grantee, sub-grantee or recipient to communicate the relevant policy that is required by statute may lead to adverse cost adjustment, disallowance of costs and/or recovery of pertinent project funds. Such recovery may be accomplished on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official, I certify by my signature below, that I have fully read and I am cognizant of our duties and responsibilities under the emergency response and vehicular pursuit policies statute. Therefore, I hereby comply with this Certification and Standard Assurance requirement by submitting a true copy of the applicable state, county or local emergency response and vehicular pursuit policies with training procedures which are pertinent to this organization.

* * * * *

[ATTACH TO THIS DOCUMENT: ALL APPLICABLE STATE, COUNTY OR LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES WITH TRAINING PROCEDURES]

This original signed form, together with the pertinent state, county or local policies to include but not limited to the emergency response and vehicular pursuit policies with training procedures must be returned to the Mississippi Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, upon approval of the contract and prior to the beginning date.

MS OFFICE OF HIGHWAY SAFETY CERTIFICATIONS AND ASSURANCES
ALCOHOL/LAW ENFORCEMENT LIAISON (LEL) HIGH VISIBILITY ENFORCEMENT (HVE)
PARTICIPATION COMPLIANCE

1. Each agency with a LEL Network Coordinator Grant must hold at least one quarterly T.E.N. (Traffic Enforcement Network) meeting to promote State/County/Local networking, the national blitz campaigns, blitz reporting, and PI&E effort. **(LEL Only)**
2. Each agency with a LEL Network Coordinator Grant must allow the LEL network coordinators to assist the MS Office of Highway Safety in promoting and gathering statistics from the NHTSA national blitz campaigns. **(LEL Only)**
3. Each agency must engage in four (4) sustained enforcement blitz periods during the national campaigns for Christmas/New Year's, Memorial Day, and the Labor Day Holiday by conducting checkpoints and/or saturation patrols. Each agency must also engage in two (2) sustained enforcement blitz periods during Super Bowl Sunday, and the 4th of July Holiday Period by conducting checkpoints and/or saturation patrols during the state campaigns.
4. For each of the national blitz campaigns, each agency must maintain relevant statistics and must submit a mobilization form reporting the total number of checkpoints, saturation patrols, DUI arrests and other citations/relevant statistics by the deadline. (Mobilization forms must be submitted by the deadline set forth by the MS Office of Highway Safety.)
5. Each agency must generate earned media (example: press conference, TV ads, radio ads or print news articles) before, during, or after High Visibility Enforcement (HVE) state and national campaign events and must submit documentation with each quarterly report.

Law Enforcement agencies will use the following criteria to help identify locations in each city/county for intensified enforcement including sobriety checkpoints and saturation patrols.

- ☐ Unusual incidents of alcohol/ drug related crashes;
- ☐ Alcohol/ drug impaired driving violations;
- ☐ Unusual number of nighttime single vehicle crashes;
- ☐ Any other documented alcohol/ drug related vehicular incidents; and
- ☐ Citation data related to restrained and unrestrained occupants

Enforcement agencies are strongly advised to ensure the site itself has maximum visibility from each direction and has sufficient illumination to ensure safety during night inspection.

DUI ENFORCEMENT COMPLIANCE

Agency Heads of law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of DUI Enforcement must comply with the following:

1. Subgrantee agrees and commits to have the DUI Officer (if applicable) and/or other officers assigned to work DUI overtime to engage their efforts during peak hours when most impaired drivers are likely driving under the influence. Shift hours *will include 4:00 p.m. and no later than 7:00 a.m.* for the Full Time DUI Officer(s). Overtime hours for DUI Enforcement *will include 4:00 p.m. and no later than 7:00 a.m.* and *will include* Thursdays, Fridays and Saturdays.

If proper justification can be made regarding other time periods within the jurisdiction for needed enforcement, a written request can be made to MOHS for consideration and approval. However, written approval must be given by MOHS prior to implementing hours and day of week outside the above shifts.

2. Specific DUI activities in which the DUI officer (if applicable) and/or other officers working overtime will include checkpoints, saturation patrols and other impaired driving enforcement activities as designated.
3. Agency will engage in national campaigns endorsed by the National Highway Traffic Safety Administration.
4. Agency will also engage in all activities as described in the High Visibility Enforcement (HVE) Participation Compliance.

OCCUPANT PROTECTION HIGH VISIBILITY ENFORCEMENT (HVE)

Each agency funded under a 402/405(b) Occupant Protection Federal grant must participate in the National Click It or Ticket Campaign Mobilization and Child Passenger Safety week. Forms containing the number of child restraint/safety belt citations, etc. must be submitted by the reporting deadline set forth by the MS Office of Highway Safety for the National Click It or Ticket Campaign.

Each agency must generate earned media (example: press conference, TV ads, radio ads or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each quarterly report.

SUBGRANTEE/LEL PROMOTIONAL/INCENTIVE COMPLIANCE

All Current MS Office of Highway Safety subgrantee must adhere to the following compliance when ordering from the MS Office of Highway Safety Resource Center, receiving and distributing promotional items for the project:

****All Subgrantees must have prior approval in writing** by MOHS before making any request related to promotional/incentive items. A distribution plan must be submitted for approval by the program manager as well.

Promotional items: Items from the MS Office of Highway Safety Resource Center must be used to promote the programs in which are funded. Items to be given away should further enhance the public's

knowledge and awareness of the program the agency is implementing with federal funding. Items can be distributed during educational presentations and seminars for area schools, colleges, civic clubs, participating agencies and the general public to make aware of the current data and dangers attributed to your program.

EQUIPMENT CERTIFICATION:

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the sub-grantee; or the State, through formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes. (23 CFR 1200.21)

Costs for equipment items are allowable only as part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL), where applicable.

All Subgrantees must have **prior written approval from MOHS before making any purchase related to equipment.

MAGIC CERTIFICATION:

Each agency funded under a federal grant must participate in the Mississippi Accountability System for Government Information and Collaboration (MAGIC). Each agency must complete the sub-grantee e-learning training course for understanding of the MAGIC system. Each agency must comply with all MAGIC requirements for reporting, payment and data collection. Each agency will be required to submit a copy of the Certification of Completion of the MAGIC e-learning training course to the MS Office of Highway Safety before the grant is awarded and any payments are reimbursed.

DEBARMENT CERTIFICATION:

I, MAYOR PHIL FISHER (Signatory Official) do hereby certify that CITY OF CLINTON POLICE DEPARTMENT (sub-grantee/agency) is not or has not been barred from contracting or entering into contracting with the MS Office of Highway Safety for a project/projects utilizing federal funds.



Signatory Official

Assurance Requirement of Subgrant Recipients:

In cooperation with the MS Office of Highway Safety, all grant and/or subgrant recipients (regardless of the type of entity or the amount awarded) must comply with the following notice requirement:

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient: plans, organizes, sponsors or holds any seminar, conference, convention, symposium, training, event or any other meeting which encumbers, utilizes, expends or will encumber, utilize or expend grant funds, including all reimbursements derived from, generated in whole or in part, or determined to be proceeds of the grant or award; the grantee, sub-grantee or recipient must appropriately notify in writing, the MS Office of Highway Safety program manager, the MS Office of Highway Safety Director and/or the Department of Public Safety Planning Executive Director of the planning for such an occurrence and afford opportunity for Department of Public Safety Planning- MS Office of Highway Safety personnel to attend and to participate, if they so desire.

Failure of grantee, sub-grantee or recipient to communicate relevant advance notice may lead to cost adjustment, disallowance of costs and/or recovery of pertinent project funds on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official for, CITY OF CLINTON POLICE DEPARTMENT (grantee, sub-grantee, or recipient), I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under this requirement. Therefore, I promise and will comply with all Federal, State and MS Office of Highway Safety Certifications and Assurances and their conditions.

Philip R. Fishen

Authorized Official's Signature
(Grantee, Sub-grantee or Recipient)

PHILIP R FISHEN

[Typed or Printed Name]

9/17/18

Date

Mayor

[Person's Organizational Title]

* * * * *

This original signed form (blue ink only) must be returned to the MS Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within 10 days of the grant award beginning date.

LOCAL GOVERNMENTAL RESOLUTION AGREEMENT AND AUTHORIZATION TO PROCEED

WHEREAS, the CITY OF CLINTON
(Governing Body of Unit of Government)

herein called the "SUBGRANTEE" has thoroughly considered the problem addressed in the application (entitled) ALCOHOL/DRUG IMPAIRED DRIVING ENFORCEMENT PROGRAM and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the Mississippi Office of Highway Safety to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF CLINTON
(Governing Body of Unit of Government)

IN OPEN MEETING ASSEMBLED IN THE CITY OF CLINTON MISSISSIPPI,
THIS 16th Day of SEPTEMBER, 20 14 AS FOLLOWS:

1. That the project above is in the best interest of the Recipient and the general public.
2. That the MAYOR PHIL FISHER
(Name and Title of Representative)

Subgrantee an award in the form prescribed by the MS Office of Highway Safety for federal funding in the amount of \$ 59,701.00
(Federal Dollar Requested) to be made to the Subgrantee defraying the cost of the

Project described in the award.

3. That the Subgrantee has formally agreed to provide a cash and/or in-kind contribution of \$ 0
(Local Match Amount) as required by the project. (If Applicable)
4. That certified copies of this resolution be included as part of the award referenced above.
5. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING BY: Phil A. Fisher
(Chairman/Mayor - Blue Ink)

Commissioner/Councilman Alderman Cassin offered the foregoing resolution and moved its adoption, which was seconded by Commissioner/Councilman BARNETT and, was duly adopted.

Date: SEPTEMBER 16, 2014

Attest: Russell L Wall

By: RUSSELL L WALL, City Clerk
(Blue Ink)



IN THE MUNICIPAL COURT OF THE CITY OF CLINTON, MISSISSIPPI

IN THE MATTER OF UNCLAIMED PROPERTY
AND/OR EVIDENCE, LOTS AND OR
SERIAL NUMBERS DESCRIBED HEREIN

CASE NO. See Attached

ORDER FOR DISPOSTION OF UNCLAIMED PROPERTY AND/OR EVIDENCE

THIS CAUSE, having come this day for hearing upon Motion of the City of Clinton, by and through the Clinton Police Department, requesting authority to dispose of and the Court having heard the matter and being fully advised in the premises, finds and orders as follows, to wit:

1.

That the Court has jurisdiction over the parties and the subject matter.

2.

That the property and/or evidence, being all of those items of property and/or evidence identified by lots and/or serial numbers in the attached Exhibit "A" which is incorporated herein as fully as if set forth in words and/or figures, is hereby declared to be unclaimed and/or otherwise subject to being forfeited and disposed of by the City of Clinton, which gained lawful possession of said property and/or evidence pursuant to criminal charges and/or criminal investigations.

3.

In that this Court has jurisdiction over the cases and/or investigations which led to this property being seized or confiscated, the property and/or evidence set forth in the attached Exhibit "A" is subject to be disposed of by the City as unclaimed or abandoned property.

IT IS THEREFORE ORDERED that the property and/or evidence set forth in the attached

Exhibit "A" is hereby determined to be unclaimed and subject to being disposed of by the City of Clinton, and that the City of Clinton, by and through its designated agents or representatives, may dispose of the said property and/or evidence in accordance with applicable law and shall further account for same as may be required by law and regulations for municipalities use and/or disposition of unclaimed or abandoned property.

SO ORDERED this the 4th day of September, 2014



MUNICIPAL COURT JUDGE

"Exhibit A"

<u>CASE #</u>	<u>Make</u>	<u>Model</u>	<u>Rev/Pistol</u>	<u>Cal</u>	<u>Serial #</u>
1) 91-3862	Raven Arms	MP-25	Pistol	.25	1642001
2) 91-8588	Raven Arms	MP-25	Pistol	.25	1703914
3) 91-3995	F.I.E Miami FL	TEX 22	Revolver	.22	TX49243
4) 91-0981	RG	40	Revolver	.38	R122093
5) 91-3402	Rossi	38	Revolver	.38	D379199
6) 91-3206	UNK	38	Revolver	.38	N24422
7) 91-6920	S&W	38	Revolver	.38	72531
8) 91-7455	Colt	unk	Pistol	.32	341741
9) 91-7942	Rossi	38 spec	Revolver	.38	AA062789
10) 91-8413	Colt	Detective	Revolver	.38	M13148
11) 91-3431	R.G	10	Revolver	.22	1285969
12) 92-7640	Ruger	Securtiy Six	Revolver	.357	15068950
13) 92-7640	Jennings	48	Pistol	.380	071780
14) 92-1435	Taurus	38 spec	Revolver	.38	1253254
15) 92-3506	S&W	34	Revolver	.38	J442063
16) 92-8746	F.I.E	Titan Tiger	Revolver	.38	0104296
17) 92-6994	Sundance Ind.	A-25	Pistol	.25	Obliterated
18) 92-8708	Davis Ind.	P-380	Pistol	.380	AP093617
19) 92-0833	S&W	38 Spec	Revolver	.38	V131389
20) 92-5133	Revelation	"99"	Revolver	.22	2087365
21) 92-5429	Raven Arms	MP-25	Pistol	.25	1793211
22) 92-0085	Armi Tanfoglio	GT 27	Pistol	.25	M104713
23) 92-3538	Jennings Firearms	48	Pistol	.380	050365
24) 92-3170	Made in Germany	unk	Revolver	.22	50083
25) 89-3827	RG	14S	Revolver	.22	Z032971
26) 87-5244	Clerke	unk	Revolver	.22	233384
27) 85-4555	Raven Arms	MP-25	Pistol	.25	943085
28) 87-6000	Derringer	D 38	Pistol	.38	F01090
29) 89-6470	Walther	PPK	Pistol	.32	422010K
30) Unknown	S & W	28	Revolver	.357	N522042
31) Unknown	S & W	439	Pistol	.9mm	A788667
32) 88-3305	Taurus	66	Revolver	.38	1191202
33) 79-1963	Charter Arms	Bulldog	Revolver	.44	462179
34) 86-1094	Rossi		Revolver	.38	D520199
35) 88-5591	High Standard	Sentinel	Revolver	.22	1362543
36) 90-1775	Raven Arms	MP-25	Pistol	.25	1572858
37) 89-4975	RG	31	Revolver	.32	Q087241

38)	88-6327	Davis Ind.	P-32	Pistol	.25	P045289
39)	89-6470	S & W	10	Revolver	.38	18D0594
40)	90-4923	F.I.E.	Titan Tiger	Revolver	.38	0089333
41)	Unknown	Colt	unk	Pistol	.32	477502
42)	87-5244	S & W	unk	Revolver	.38	489341
43)	87-5244	S & W	unk	Revolver	.32	26551
44)	90-0608	F.I.E.	Titanic	Revolver	.32	B38709
45)	87-3880	RG	31	Revolver	.38	0208846
46)	91-4162	Q.F.I	S.A. 25	Pistol	.25	AM09415
47)	94-2022	F.I.E.	Tex 22	Revolver	.22	1R16047
48)	94-2429	Glock	19	Pistol	9mm	AHR643US
49)	88-6600	Cop Inc	unk	Pistol	.38/.357	011122
50)	93-4288	Sundance Inc	A-25	Pistol	.25	040068
51)	94-6083	Davis Ind	P-380	Pistol	.380	AP216803
52)	93-0823	Rossi	unk	Revolver	.38	137845
53)	94-9169	Lorcin	L380	Pistol	.380	294632
54)	93-9853	Lorcin	L380	Pistol	.380	216706
55)	94-2382	Jennings Arms	"Bryco 38"	Pistol	.380	588035
56)	94-0607	Raven Arms	MP-25	Pistol	.25	1808188
57)	90-7422	Raven Arms	P-25	Pistol	.25	634837
58)	94-2429	Glock	17	Pistol	9mm	AAC827 US
59)	93-9229	Colt	unk	Pistol	.32	388045
60)	93-9100	Raven Arms	MP-25	Pistol	.25	1881552
61)	93-5863	Lorcin	L380	Pistol	.380	177066
62)	94-2022	Rossi	unk	Revolver	.38	W213688
63)	94-1137	F.I.E.	Titan	Pistol	.25	D933752
64)	94-6255	Echasa-Eibar	unk	Pistol	.32	Obliterated
65)	93-1908	Remington	Derringer	Pistol	.38	L93546
66)	94-7214	RG	RG26	Pistol	.25	U041845
67)	94-3940	Davis Arms	D-25	Pistol	.25	115717
68)	94-0607	Davis Ind	P-380	Pistol	.380	AP171164
69)	Unknown	Rohm Gmbh	34	Revolver	.22	No Ser#
70)	94-8045	Luger	TEC-DC9	Pistol	9mm	D028675
71)	94-0711	RG	CDM	Revolver	.22	341562
72)	94-0448	Marksman	Repeater	BB Pistol	BB	93387867
73)	94-3267	Marksman	Repeater	BB Pistol	BB	93500026
74)	93-7912	Lorcin	L32	Pistol	.32	006120
75)	93-2148	Glock	455	Pistol Magazine	.40	N/A
76)	Unknown	Liberty Arms	21	Revolver	.22	42875
77)	Unknown	Jennings Arms	J-22	Pistol	.22	444142
78)	Unknown	Unk (Germany)		Revolver	.22	833287
79)	92-3804	Stevens	940A	Shotgun	.410	Unknown
80)	Unknown	Mossberg	500A	Shotgun	12 ga	K178724

MEMORANDUM OF UNDERSTANDING

The University of Mississippi Medical Center/Mississippi MED-COM

and

Clinton Fire Department

(Authorized Federal, Tribal, State, Local Agency, Emergency Organization or Acute Care Hospital)

PURPOSE:

This Memorandum of Understanding (MOU) is between The University of Mississippi Medical Center/Mississippi MED-COM (MED-COM) and Clinton Fire Dept. (Agency). This MOU establishes permission and guidelines for use of Medical Communications channels on the Mississippi Wireless Information Network (MSWIN) by:

- Governmental agencies, hospitals, non-transport Emergency Medical Systems (EMS) services or fire departments with an EMS response component and EMS services in Mississippi that provide 911 or emergency services as contracted by a county, city or regional authority.
- Non-EMS agencies, departments or other non-governmental organizations that desire interoperability on medical mutual aid channels.

This MOU imposes certain protocols, procedures and obligations upon users hereby authorized to use the licensed MSWIN frequencies to the State of Mississippi and for use of the radio equipment procured under the 2011 Broadband Technology Opportunity Program (BTOP) grant No. NT10BIX5570094 from The U.S. Department of Commerce – National Telecommunications and Information Administration dated March 2011.

This document authorizes the user to operate on the MSWIN talkgroups for the purposes of coordination of daily emergency response, mutual aid, secure medical communications, disaster communications and coordination. Specifically, the User shall ensure that the use of the Radios are for official purposes which include but are not limited to secure medical control communications, public safety interoperability, secure EMS-hospital communications, mutual aid, disaster communications, interhospital communications and temporary backup primary communications. Radio Equipment procured under BTOP funding and talkgroups within this equipment cannot be used for primary dispatch of EMS services or other communications that can be described as providing a financial gain. However, in the event that the issued agency's primary communication system fails, it will be allowable for the issued agency to use this equipment temporarily until the primary communication system is restored. This request

should come in writing to Jonathan Wilson at jwilson5@umc.edu to Marty Burgess at mburgess@umc.edu and should be limited to less than 10 working days.

AUTHORITY:

Mississippi MED-COM will ensure that all operational paperwork will be maintained with the Mississippi Wireless Communication Commission for operations on the MSWIN system. MED-COM will ensure that the national interoperability frequencies programmed in said subscriber equipment as outlined in the National Interoperability Field Operations Guide (NIFOG) as published by the United States Department of Homeland Security Office of Emergency Communications to provide regional/national interoperability. Equipment installed in hospitals and EMS vehicles throughout the state will remain property of the State of Mississippi.

APPLICABILITY:

The intent of the BTOP grant is to improve medical communications and interoperability in Mississippi across the many types of ground ambulance service models. This document makes no distinction between the different EMS service delivery models to include but not limited to private, volunteer, tribal, hospital based, state agency, county based, fire-department based, other 911, or emergency response vehicles. While non-911 or emergency service EMS services are not excluded, the priority will be given to 911 or emergency response EMS services.

UNDERSTANDINGS:

Mississippi MED-COM will:

- Provide radio equipment that will be installed per the BTOP grant and manufacturer guidelines.
- Provide 24/7 monitoring of the Regional EMS/Hospital communications frequencies.
- Provide additional on-line assistance as outlined in the appendix to this document and agreed upon by the regional EMS system, trauma region, hospital district or EMS service.
- Assume the maintenance of the installed equipment for the grant period and any proposed or actual MSWIN annual subscriber fees for the grant period
- Participate in state, regional and federal interoperability planning and exercises to improve interoperable communications in the support of decreasing mortality, morbidity and improving disaster response in Mississippi.
- Maintain required grant reporting and agreements as outlined in the 2011 BTOP grant.

- Maintain the security of the encryption key and authorized users on the system.
- Issue updates, programming and communications regarding national, state and regional public safety interoperability.
- Provide over-the-air programming and radio updates as required by Mississippi MED-COM, the equipment vendor or the WCC.

Equipment End-users will:

- Provide a designated or single point of contact to Mississippi MED-COM for installation and maintenance.
- Agree with and follow the Mississippi MED-COM/MSWIN Medical Communications Plan.
- The agent to program will not alter or reprogram the radio configuration without written consent from Mississippi MED-COM.
- Support medical communications and encourage the use of local and regional interoperability frequencies.
- Promptly request and deliver inoperable or damaged radios to the designated regional authorized repair center as outlined in the operational guide
- Upon the installation of the radio equipment in the agency's vehicles, hospital, or its premises the user shall bear the risk of loss for any damage or loss to such equipment. Accordingly, throughout the term of this agreement, User shall procure and maintain property insurance that shall provide coverage against all risk of physical loss and/or damage on a full replacement cost valuation basis without deduction for depreciation. Upon request, user will provide a certificate of insurance to Mississippi MED-COM.
- Be responsible for transferring radios to new EMS units or transferring radios out of units retired from service. The vendor's contract with the State of Mississippi provides a set cost for install. The End-user will bear the cost of transfers after the initial installation.
- Be responsible for replacement of any equipment damaged by non-ordinary wear and tear as determined by the Motorola Service Shop.

The parties mutually agree:

- User and MED-COM agree their mutual interest will be furthered by continued coordination between the User, MED-COM and other state, local and federal agencies on the MSWIN system.
- User and MED-COM agree this document may be cancelled at any time, by thirty (30) days written notice to the other party, or by subsequent agreements. In the event that this agreement is cancelled, the radio equipment will be removed from the vehicles or building in which the radios were originally installed at the User's expense and the

property returned to Mississippi MED-COM or an agreed-to designated location within one week of cessation of 911 or emergency operations.

- User and MED-COM agree that if the User loses the contract or 911 or emergency service in the region, county or city that was in place at the time of the signing of this agreement, the radio equipment will be removed from the number of vehicles or buildings in which it was originally installed at the User's expense and the property returned to Mississippi MED-COM or an agreed-to designated location within one week of cessation of 911 or emergency operations.

AGREEMENT

This Memorandum of Understanding was agreed to this 16th day SEPTEMBER 2014.

User Name: Clinton Fire Department

Authorized Signature: Phil Fisher

Print Name: Phil Fisher

Title: Mayer

Address: 300 Jefferson Street.

Clinton, ms 39056

Phone: 601-925-6103 Email: pfisher@clintonms.org

Fax: 601-925-1016

Contact Name, Phone, and Email (if different than above): JEFF Blackledge
601-925-1010, 601-946-9557 jblackledge@clintonms.org

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Signature Pamela Tazik
Director, Sponsored Programs

Date _____

SSJ
Legal

Compliance
Clerk

Jeff Blackledge

From: kennethdreher@aol.com
Sent: Friday, September 05, 2014 2:01 PM
To: jblackledge@clintonms.org
Subject: Re: MOU with UMMC

The MOU is good. You should put it on the next agenda and either you or the Chief can discuss at the work session on 9/15/14. Sorry about taking so long.

KEN DREHER
ATTORNEY AT LAW
111 HILLMONT CIRCLE
CLINTON, MS 39056
TEL: 601-925-5316

-----Original Message-----

From: Jeff Blackledge <jblackledge@clintonms.org>
To: Ken Dreher <kennethdreher@aol.com>
Sent: Wed, Sep 3, 2014 7:49 am
Subject: MOU with UMMC

Good Morning Ken,

Just checking to see if you have had time to look over the MOU with UMMC for radios I left in your box several weeks ago. If there is a problem please let me know.

Thanks,
Jeff

Division Chief Jeff Blackledge

Clinton Fire Dept.
Training/Safety

6019251010 Work
(601) 946-9557 Mobile
jblackledge@clintonms.org
jblackledge@clintonms.org

CERTIFIED TABULATION OF BIDS
Owner's Name: City of Clinton
Project Name: 2013 Southern Oaks Sewer Improvements
Bid Date: September 10, 2014
WGK No.: 2013-010-02

WGK No.: 2013-010-02													
		DESCRIPTION		Engineer's Estimate		Greenbrier Digging Service, Inc.		Delti Constructors, Inc.		Utley Constructors, Inc.		Southern Rock, LLC	
ITEM NO.		EST QTY	UNIT	PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID ITEMS													
1	Point Repair	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 2,500.00	\$ 5,000.00	\$ 4,600.00	\$ 9,200.00	\$ 2,500.00	\$ 5,000.00	\$ 2,850.00	\$ 5,700.00
2	Grout Manhole Casting	8	EA	\$ 350.00	\$ 2,800.00	\$ 150.00	\$ 1,200.00	\$ 350.00	\$ 2,800.00	\$ 150.00	\$ 1,200.00	\$ 900.00	\$ 7,200.00
3	Repair Clean-Outs	3	EA	\$ 500.00	\$ 1,500.00	\$ 300.00	\$ 900.00	\$ 700.00	\$ 2,100.00	\$ 1,100.00	\$ 3,300.00	\$ 1,300.00	\$ 3,900.00
4	Clean Sewer Line on Lafayette Circle	120	LF	\$ 5.00	\$ 600.00	\$ 15.00	\$ 1,800.00	\$ 14.00	\$ 1,680.00	\$ 6.00	\$ 720.00	\$ 10.00	\$ 1,200.00
5	Cementitious Manhole Lining (Type 1)	50	VF	\$ 250.00	\$ 12,500.00	\$ 200.00	\$ 10,000.00	\$ 160.00	\$ 8,000.00	\$ 275.00	\$ 13,750.00	\$ 120.00	\$ 6,000.00
6	Raise Manhole Top 24" To Grade	2	EA	\$ 500.00	\$ 1,000.00	\$ 1,500.00	\$ 3,000.00	\$ 1,500.00	\$ 3,000.00	\$ 860.00	\$ 1,720.00	\$ 1,725.00	\$ 3,450.00
7	Abandon 8" Sewer by Grouting	1	LS	\$ 1,000.00	\$ 1,000.00	xxx	\$ 2,000.00	xxx	\$ 5,000.00	xxx	\$ 1,300.00	xxx	\$ 6,000.00
8	8" Gravity Sewer (All Depths)	132	LF	\$ 40.00	\$ 5,280.00	\$ 30.00	\$ 3,960.00	\$ 25.00	\$ 3,300.00	\$ 69.00	\$ 9,108.00	\$ 45.00	\$ 5,940.00
9	10" Gravity Sewer (All Depths)	227	LF	\$ 45.00	\$ 10,215.00	\$ 35.00	\$ 7,945.00	\$ 30.00	\$ 6,810.00	\$ 72.00	\$ 16,344.00	\$ 65.00	\$ 14,755.00
10	48" Manhole and Casting (All Depths)	4	EA	\$ 3,000.00	\$ 12,000.00	xxx	\$ 13,600.00	\$ 2,500.00	\$ 10,000.00	xxx	\$ 9,600.00	\$ 3,500.00	\$ 14,000.00
11	Convert Pump Station To Manhole	1	LS	\$ 2,000.00	\$ 2,000.00	xxx	\$ 1,000.00	xxx	\$ 3,000.00	xxx	\$ 7,500.00	xxx	\$ 8,500.00
12	Connect to Existing Pump Station	1	LS	\$ 1,000.00	\$ 1,000.00	xxx	\$ 800.00	xxx	\$ 4,000.00	xxx	\$ 1,500.00	xxx	\$ 1,500.00
13	Clear and Grub	1	LS	\$ 7,500.00	\$ 7,500.00	xxx	\$ 8,000.00	xxx	\$ 12,000.00	xxx	\$ 24,000.00	xxx	\$ 85,000.00
14	Erosion Control	1	LS	\$ 5,000.00	\$ 5,000.00	xxx	\$ 3,000.00	xxx	\$ 10,000.00	xxx	\$ 15,000.00	xxx	\$ 20,000.00
15	80 gpm Duplex Pump Station (includes site work, electrical, mechanical, controls, meter, etc. for a complete installation)	1	LS	\$ 85,000.00	\$ 85,000.00	xxx	\$ 172,000.00	xxx	\$ 167,000.00	xxx	\$ 179,000.00	xxx	\$ 200,000.00
16	6" SDR-26 PVC Force Main With Tracer Wire	6936	LF	\$ 12.00	\$ 83,220.00	\$ 10.00	\$ 69,350.00	\$ 10.00	\$ 69,350.00	\$ 8.50	\$ 58,947.50	\$ 7.25	\$ 50,278.75
17	6" HDPE Creek Bore	100	LF	\$ 50.00	\$ 5,000.00	\$ 45.00	\$ 4,500.00	\$ 97.00	\$ 9,700.00	\$ 68.00	\$ 6,800.00	\$ 110.00	\$ 11,000.00
18	10" Steel Casing (Bore & Jack)	150	LF	\$ 120.00	\$ 18,000.00	\$ 70.00	\$ 10,500.00	\$ 120.00	\$ 18,000.00	\$ 85.00	\$ 12,750.00	\$ 120.00	\$ 18,000.00
19	Connect to Existing Force Main with 6" Gate Valve	1	LS	\$ 1,500.00	\$ 1,500.00	xxx	\$ 3,000.00	xxx	\$ 1,800.00	xxx	\$ 3,500.00	xxx	\$ 4,000.00
20	Air/Vacuum Valve In Precast Valve Pit	3	EA	\$ 3,500.00	\$ 10,500.00	\$ 3,500.00	\$ 10,500.00	\$ 2,000.00	\$ 6,000.00	\$ 3,100.00	\$ 9,300.00	\$ 4,250.00	\$ 12,750.00
TOTAL BASE BID					\$ 289,615.00		\$ 332,055.00		\$ 353,240.00		\$ 380,738.50		\$ 479,173.75
Add-Alternate Bid Items													
16B	Added cost to increase item #16 to 8" SDR-26 PVC Force Main With Tracer Wire	6936	LF	\$ 3.00	\$ 20,805.00	\$ 2.10	\$ 14,563.50	\$ 3.00	\$ 20,805.00	\$ 2.00	\$ 13,870.00	\$ 2.50	\$ 17,337.50
17B	Added cost to increase item #17 to 8" HDPE Creek Bore	100	LF	\$ 15.00	\$ 1,500.00	\$ 15.50	\$ 1,550.00	\$ 18.50	\$ 1,850.00	\$ 13.80	\$ 1,380.00	\$ 7.50	\$ 750.00
18B	Added cost to increase item #18 to 12" Steel Casing (Bore & Jack)	150	LF	\$ 30.00	\$ 4,500.00	\$ 12.00	\$ 1,800.00	\$ 16.50	\$ 2,475.00	\$ 13.00	\$ 1,950.00	\$ 7.00	\$ 1,050.00
19B	Added cost to increase item #19 to Connect to Existing Force Main with 8" Gate Valve	1	LS	\$ 500.00	\$ 500.00	xxx	\$ 600.00	xxx	\$ 450.00	xxx	\$ 600.00	xxx	\$ 250.00
TOTAL ADD ALTERNATE ITEMS					\$ 27,305.00		\$ 18,513.50		\$ 25,580.00		\$ 17,800.00		\$ 19,397.50
BASE BID + ADD ALTERNATES					\$ 296,920.00		\$ 350,568.50		\$ 378,820.00		\$ 398,538.50		\$ 498,571.25

This is a certified tabulation of the bids received on September 10, 2014 for the City of Clinton
 Signed: *Josh Broome*
 Josh Broome, P.E.
 15746
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF MISSISSIPPI



ADVERTISEMENT FOR BIDS

City of Clinton
(Owner)

300 Jefferson Street, Clinton, MS 39060
(Address)

Separate Sealed Bids for the Construction of **SRF Water System Improvements** which includes the construction of two new water wells and improvements to existing facilities will be received by the City of Clinton herein called the "owner" at the office of City of Clinton, 300 Jefferson Street, P.O. Box 156, Clinton, MS 39060 until 10:00 a.m. local time October 28, 2014 and then at said office publicly opened and read aloud.

The Plans, Specifications and CONTRACT DOCUMENTS may be examined at the following locations:

1. City of Clinton, City Clerk's Office, 300 Jefferson Street, P.O. Box 156, Clinton, MS 39060
2. MSDH 570 Woodrow Wilson Drive Jackson, Ms 39215 (Colleen Cook) 601-576-7518
3. WGK, Inc. 204 W Leake St. Clinton, Ms 39056 601-925-4444

The Bid Schedule may be examined at the following locations:

- A. Mississippi Procurement Technical Assistance Program (MPTAP)
Mississippi Development Authority, Minority & Small Business Development
Woolfolk State Office Building
501 North West Street
Suite B 01
Jackson, MS 39205
Contact: Carlyn McGee, 601-359-3448
- B. Central Mississippi Procurement Center
C/O Mississippi Development Authority
P.O. Box 849
Jackson, MS 39205-0849
Contact Person: Carol Harris, 601-359-3448

One copy of the contract documents and plans may be procured from WGK, Inc., 204 W. Leake St., Clinton, MS 39056 upon payment of \$125.00, none of which is refundable. Bids for this work will be accepted only under the name of the BIDDER to whom the contract documents and addenda, if any, have been issued by the ENGINEER. Bids received by BIDDERS to whom the contract documents were not issued by the ENGINEER, will be returned unopened.

Minority and women's business enterprises are solicited to bid on this contract as prime contractors and are encouraged to make inquiries regarding potential subcontracting opportunities and equipment, material and/or supply needs.

Bids for this work will be accepted only under the name of the Bidder to whom the Contract Documents and Addenda, if any, have been issued by the Engineer. Bids received by bidders to whom the Contract Documents were not issued by the Engineer will be returned unopened.

Any contract or contracts awarded under this invitation for bids are expected to be funded in whole or in part by anticipated funds from the Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) loan program from the State of Mississippi. Neither the State of Mississippi, the Local Governments and Rural Water Systems Improvements Board, the Commission on Environmental Quality nor any of their employees is or will be a party to this invitation for bids or any resulting or related contracts. This procurement will be subject to all applicable sections of the Mississippi Code of 1972, Annotated, as they apply to local governments, in accordance with Appendix D of the DWSIRLF Program Regulations.