


FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT	POLICY NUMBER
	ADMINISTRATION OF GRANTS AND CONTRACTS	7.04
		ISSUE DATE
		02/01/96
	REVISION DATE	11/23/15
	TOTAL PAGES	10

7.04.01 PURPOSE

- A. To develop alternative sources of funding to supplement state monies allocated by the Florida Legislature.
- B. To ensure that such funds are consumed in furtherance of the operational and developmental aims of the Division and legitimate public safety interests.
- C. To stipulate requirements concerning the generation of contracts/agreements for delivery of services, including supplementary services undertaken pursuant to the provisions of a grant.

7.04.02 AUTHORITY

- A. Chapter 216, Florida Statutes, requires appropriation of grant funds awarded to any agency.
- B. Instructions relating to the preparation of grant applications can be found in DHSMV Policy #11.06.

7.04.03 POLICY

It is the policy of the Florida Highway Patrol to identify resources, available through public and private grants, donations and cooperative service agreements, which may be legally consumed in furtherance of the Division's mandate and organizational goals and to initiate measures to obtain allocation of such resources to supplement state funds appropriated by the Legislature.

7.04.04 DEFINITIONS

- A. **ADMINISTRATION OF GRANTS** - Refers to processes associated with the allocation, consumption or transfer of funds, donations or services in order to ensure that such resources are utilized in conformance with the terms and conditions set forth in any written agreement/contract, executed by the Department/Division and the grantor.
- B. **CONTRACT** - In addition to its legal connotations, as herein used, the term refers to any written agreement between the Division and the grantor, outlining the terms and conditions for awarding supplementary grant funding. Generally,

the contract identifies what is to be done, how it is to be done, estimated cost, terms of payment and record keeping/reporting responsibilities.

- C. **GRANTS** - Supplementary monetary awards, allocated to the Division from other than state funds, in furtherance of one or more of the goals/objectives established by the Florida Highway Patrol. Types of grants include:
1. Block Grants - Grants made to a unit of government (state, regional or local) for broad purposes such as housing or employment, authorized by legislation or administrative policy. Recipients have some flexibility in distributing these funds and may themselves become grantors or funders within the broad purposes of the grant, according to the criteria established by the original grantor.
 2. Categorical Grants - Funds expended for specific purposes, generally by the recipient, unless the recipient opts to subcontract to a third party who can provide the service better or cheaper.
 3. Discretionary Funds - Awards in which the funding agency has considerable latitude in deciding who can receive funds for what amount, adhering to the general policies or guidelines of the funding source.
 4. Formula Grants - Determination of amount of award to specific grantees based on a specific formula prescribed in legislation or regulation rather than based on individual project review. Formulas may be based on population, per capita income, age or other demographic characteristics.
- D. **IMPLEMENTING AGENCY** - For purposes of this directive means the Department of Highway Safety and Motor Vehicles, or one of operating sub-components that will conduct the work funded by the grant.
- E. **RESOURCE DEVELOPMENT** - Identification and acquisition of financial, equipment or service resources which can be directed toward attainment of Divisional goals and objectives and fulfillment of its mandate.
- F. **PROJECT DIRECTOR** - The individual who will be in direct charge of administering project activities, authorizing dispersal of grant funds and ensuring compliance with reporting requirements.
- G. **SUB-GRANTS** - Tertiary distribution of funds awarded to a given agency. The agency receiving the original grant funds awards all or a portion of the monies to another governmental entity in consideration for performance of a specialized or supplementary service.

7.04.05 OBJECTIVES

- A. To encourage identification of alternative funding sources and the development of grants in aid with which to supplement funding allocated to the Division from State revenue.
- B. To enact measures which will ensure that all grant funds awarded to the Division are consumed in accordance with:
 - 1. The provisions of any contractual arrangement, pertaining to their disbursement, to which the Division is a party.
 - 2. The provisions of law, the Division's mandate and its operational/developmental goals.

7.04.06 RESPONSIBILITIES

- A. Duties of the Director:
 - 1. In accordance with the provisions of FHP Policy 7.01, the Director shall devise and publish a plan reflecting the long-term developmental and operational goals of the Division.
 - 2. Six months prior to annual submission of the final agency budget, the Director, in consultation with members of the executive staff, will solicit recommendations for grant proposals to be pursued during the upcoming fiscal year.
 - 3. Three months prior to annual submission of the final agency budget, the Director, with input from the executive staff, will:
 - a. Review and select grant proposals which offer potential to compliment appropriations requests.
 - b. Develop and publish an integrated spending plan which ensures that grant funds, appropriated monies and other resources are consumed in furtherance of the Division's operational and developmental goals.
 - 4. To approve all grants undertaken by the Division and to appoint a project director to provide administrative oversight.

B. Duties of the FHP Grant Administrator:

The FHP Grant Administrator position shall be under the command of the Office of Program Planning and Administration.

- 1. To serve as the Division's representative to the Department's Grant Development Committee and to assist the committee in generating an "Annual Plan for Grant Funded Projects," as provided for in DHSMV Policy #11.06.

2. To exercise responsibility for receiving, coordinating, preparing, and submitting of all grants undertaken on behalf of the Division, including:
 - a. Providing technical guidance in preparing applications and proposals to all Division components seeking resource development assistance.
 - b. Maintaining lists of potential funding sources for law enforcement projects.
3. To provide staff assistance and guidance to the Director and the executive staff on matters pertaining to the preparation and submission of grants; and to other components of the Department/Division in order to facilitate demonstration of compliance with contractual provisions attendant therewith.

C. Duties of the Office of General Counsel-DHSMV:

To generate/review/amend all contracts, in which the agency proposes to become a party, prior to their execution.

D. Duties of the Office of Performance Management:

1. To review all resource development grants/contracts proposed by the Division.
2. To provide budget planning assistance.
3. To ensure proper administration of fiscal matters relating to any grants, donations or contractual service arrangements involving the Florida Highway Patrol.
4. To compile and prepare fiscal reports concerning grants or contracts for submission to the funding agency/contractor.
5. To facilitate compliance with auditing provisions prescribed by law.

7.04.07 PROCEDURES

A. GRANTS - GENERAL PROVISIONS

1. Solicitation of Grant Proposals - Members and employees of the Florida Highway Patrol are encouraged to formulate ideas and submit proposals which will permit the Division to obtain supplementary resources to be consumed in furtherance of its operational and developmental goals.
2. Types of Grants/Restrictions - Grant proposals initiated or undertaken pursuant to provisions contained in this directive:
 - a. Shall be solicited from among funding agencies that are seeking services which are consistent with those mandated to the Division in Chapter 321, Florida Statutes.

- b. Shall contribute to attainment of the Division's operational or developmental goals, as outlined in the Director's long-term plan.
- 3. No portion of this directive shall be construed as imposing a restriction on the ability of command personnel:
 - a. To apply creativity to attempts to generate resource development funding.
 - b. To offer grant proposals for which a funding source has not been identified.

B. SUBMISSION OF GRANT PROPOSALS

- 1. Command personnel throughout the Division will anticipate, document and submit their recommendations for grants or other resource development funding opportunities to be pursued by the Division in any upcoming fiscal year.
- 2. Such submission shall be forwarded through the chain of command to the Chief Administrative Officer in the Office of Program Planning and Administration, for arrival prior to the end of the third quarter of the (current) fiscal year.

C. CONTENT OF RESOURCE DEVELOPMENT PROPOSALS

- 1. Composition of Grants-General - Normally, the agency or organization that offers the grant, defines the information which must be supplied by governmental components that are seeking funding.
 - a. Rules concerning grant preparation may be:
 - (1) Available from the grantor upon request.
 - (2) Codified in enabling statutory language pertaining to the granting agency.
 - (3) Promulgated through rule making authority provided to the agency pursuant to legislation.
 - b. Grant proposals submitted in accordance with the provisions of this directive shall be prepared in compliance with requirements stipulated by the granting agency, if such requirements are known.
 - c. Supplementary information to be supplied in company with proposals submitted under the provisions of this section shall include:
 - (1) Instructions concerning preparation of grants.
 - (2) Any contract (if applicable) delineating the duties, obligations and reporting requirements incumbent upon recipients of funding.

- (3) The deadline for submission of grants.
 - (4) The name, address, telephone number and position title of the granting agency's coordinator or contact.
2. Composition of Proposals-Funding Source Not Identified - Proposals, which require development of a funding source or that pertain to grant opportunities for which rules for preparation and submission have not been published or are unknown, shall be documented in accordance with procedures outlined in Section IV.C, DHSMV Policy #11.06 and forwarded to the FHP Grant Administrator through the chain of command in compliance with the provisions of Section 7.04.07(B) above. Such submission shall include:
 - a. Purpose of the grant in narrative form.
 - b. Statement of the problem (that created a need for the funds).
 - c. Proposed solution to the problem.
 - d. Measurable objectives to be accomplished during the duration of the grant.
 - e. Timetable for completion of the tasks.
 - f. Number and type of positions to be funded.
 - g. Type and amount of capital outlay equipment to be funded.
 - h. Method and type of evaluation to be conducted, including a statement of how data is to be collected and compiled.
 - i. Length of the grant period.
 - j. Name of the project director.
 - k. Location where grant related work is to be performed.
 - l. Supplementary information/material required by Section C(1)(c), above.

D. COMPILING PROJECT BUDGETS AND ESTIMATING EXPENSES

Budgets shall be prepared in compliance with requirements stipulated by the granting agency or in accordance with the provisions of DHSMV Policy #11, as applicable.

1. Estimating Costs for Personnel Services:
 - a. Salary projections shall be based upon current, average costs for salary and benefits (as required) for positions scheduled to provide service under the provisions of the grant.
 - b. Payment for hireback patrols and other extra-duty activities shall be calculated at the time and one-half rate and funds awarded to

the Division for such purposes shall be consigned to the "Other Personnel Services (OPS)" budget category.

- c. Current salary costs may be obtained from the Bureau of Budget, DHSMV.
2. Calculating Capital Expenditures:
 - a. Expenses for capital outlay required for any additions to staff (if applicable) shall be included in the project budget.
 - b. Costs associated with procuring equipment requested in the grant are to be taken from quotes supplied by potential vendors.

E. CONTRACTS

1. The Division shall not incur any obligation(s) to provide any services, supply any material or perform any record keeping or reporting functions, except those that are or hereafter may be, authorized or required by law, by administrative rule(s) or by the provisions of a duly executed contract which bears the signature of the Executive Director, DHSMV, or the Director of the Florida Highway Patrol, or their designee.
2. All such agreements, which are created pursuant to generation of a request for developmental resources from any funding agency, shall be reviewed and approved/amended by the Office of General Counsel-DHSMV, before being signed. At a minimum, such contracts shall contain the following provisions:
 - a. A comprehensive listing of the services which the Division will be required to provide under the provisions of the grant.
 - b. Detailed language outlining the financial arrangements between the granting agency and the Department/Division, including:
 - (1) Arrangements for dispersal of funds.
 - (2) Identification of any requirements pertaining to accounting or record keeping for program expenditures.
 - (3) Limitations or other demands regarding selection of vendors or procurement of program materials.
 - c. Precise specifications of records to be compiled by the Division in order to demonstrate compliance, including:
 - (1) The content and organization of such documents.
 - (2) The frequency with which such reports are to be submitted.

- d. Language which stipulates the duration of the contract.
- e. Procedures/limitations pertaining to amendment, revision, or termination of the contract.
- f. Provisions for dealing with any legal contingencies that could arise during the period of the grant or that might result from the delivery of services required by the grant, including:
 - (1) Law suits.
 - (2) Limits of liability.
- g. Delineation of any arrangements which would permit any other agency to utilize any equipment or facilities maintained or operated by the Department/Division.
- h. Specific language stating that Florida Highway Patrol members/personnel assigned to deliver services or perform functions pursuant to the provisions of the grant:
 - (1) Remain under the direction and control of the Florida Highway Patrol and are not to be regarded as employees of the granting agency.
 - (2) Shall retain all rights, privileges and benefits attendant with such employment.
 - (3) Staffing assignments for grant related activities involving traffic law enforcement shall be offered to troopers, corporals, sergeants, and lieutenants. It is the responsibility of the Troop Commander and appropriate district commanders to ensure staffing assignments are offered equally to all members listed above. Captains may be authorized to work grant related activities in the event the detail is of sufficient size to require the presence of command personnel or there are insufficient numbers of troopers, corporals, sergeants, and lieutenants volunteering to work the grant activities.
 - (4) Staffing assignments for grant related activities involving duties other than traffic law enforcement shall be made commensurate with the duties to be performed.

F. UTILIZATION OF FUNDING

The Florida Highway Patrol maintains as one of its developmental goals an on-going commitment to attract and obtain supplementary funding in the form of grants awarded by public/private entities. However, such monies may not be consumed, obligated or expended without the approval of the Governor and Legislature and must be duly appropriated as required by Chapter 216, Florida Statutes.

G. SUB-GRANTS AND UNANTICIPATED RESOURCE DEVELOPMENTAL OPPORTUNITIES

Command personnel are encouraged to anticipate the availability of resource development funds and to submit proposals which will facilitate their incorporation in the Division's spending plan prior to final (annual) budget preparation. However, in some instances monies, usually in the form of sub-grants, are offered to the Division after legislative action on the Department's budget is complete. When such contingencies develop, including grants of \$10,000 or less, commanders should recommend equipment to be purchased by the granting agency which can be donated to the Division for official use. If the grant exceeds the referenced amount or if the indicated arrangement is unsatisfactory to the grantor, a resource development proposal, described in Section 7.08.07(C), must be submitted and approved in order to obtain authority to utilize the funds.

H. PROCESSING OF GRANTS

1. Upon receipt of any resource development proposal and required accompanying documentation, the FHP Grant Administrator will:
 - a. Review the proposal and (if needed):
 - (1) Prepare a written evaluation of project feasibility.
 - (2) Attempt to identify a potential funding source.
 - (3) Obtain submission requirements published by the grantor/funding agency.
 - (4) Reformat the proposal in conformance with informational needs stipulated by the grantor.
 - b. Present the proposal to the Director and the executive staff for examination/approval/rejection.
 - c. Provide administrative assistance to the project director on matters relating to timely filing, managing grant resources and fulfilling compliance requirements.
2. The Office of Performance Management will arrange for review of approved proposals by elements of the Department/Division that are required to provide administrative oversight or to deliver ancillary services in support of the grant, including:
 - a. The Office of General Counsel (DHSMV) which shall be afforded an opportunity to review/approve/amend the provisions of any contract which must be executed in furtherance of any grant application.
 - b. The Office of Performance Management which shall:

- (1) Review/approve/amend cost projections reflected in the project budget.
 - (2) Initiate measures to facilitate appropriation of funds.
 - c. The Bureau of Accounting (DHSMV Division of Administrative Services) which shall:
 - (1) Initiate measures to ensure compilation of financial information needed to fulfill reporting requirements stated in the grant.
 - (2) Facilitate compliance with auditing provisions.
3. The Office of Strategic Services (Division of Florida Highway Patrol) shall establish procedures for collection, preservation, collation, processing and publication of performance data required to demonstrate compliance with the grant.