



BARNSTABLE COUNTY

COMMISSIONERS
RONALD R. BEATY, Barnstable
RONALD BERGSTROM, Chatham
MARY PAT FLYNN, Falmouth

THE REGIONAL GOVERNMENT OF CAPE COD

Board of Regional Commissioners

REGULAR MEETING AGENDA

POSTED

06/15/20 @ 9:45 A.M.

REVISED

06/15/20 @ 11:30 A.M.

DATE: 10:00 A.M

TIME: June 17, 2020

PLACE: Note: The meeting will be held through remote participation by the Board of Regional Commissioners pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020. All public comments or questions should be directed to Jack Yunits, County Administrator, at jack.yunits@barnstablecounty.org. The Board will address any submissions at its next meeting.

Please note the re-ordering of the items in Section 8

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Public Comment
5. Approval of Minutes
 - a. Regular Meeting of May 27, 2020
6. General Business
 - a. Update on COVID-19 (Novel Coronavirus) and Barnstable County
 - b. Discussion with Chiefs from the Police Departments of Towns in Barnstable County regarding training at the Cape Cod Municipal Police Academy

- c. Ratifying a letter of support from the County Board of Regional Commissioners to the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness Center (MVP) Program, dated June 11, 2020, for the Town of Barnstable's application for a Municipal Vulnerability Action Grant
- d. Proposed Ordinance 20-__, To authorize the County to enter into a License Agreement with the Cape Cod Chapter of the New England Mountain Bike Association (NEMBA), on a portion of Barnstable County property near the intersection of Route 132/Phinneys Lane for a bicycle path

Note: For all items under General Business, the Board may take official action including votes

7. New Business – Other business not reasonably anticipated by the Chair

8. Commissioners' Actions

- a. Authorizing the creation of a full-time, fully grant-funded, Microbiologist position, through June 30, 2021 for the Massachusetts Alternative Septic System Test Center (MASSTC), in the Health and Environment Department, as recommended by the County Hiring Committee
- b. Ratifying the creation and emergency hire of new COVID-19 Code Enforcement Inspector positions, providing comprehensive COVID-19 related public health and environmental services during summer months in Barnstable County, as requested by the County Health and Environment Department Director
- c. Ratifying an emergency hire for the fully grant funded, vacant part-time Tobacco Control Health Educator/Inspector position, providing comprehensive tobacco regulation guidance and education to local retailers and municipalities served by the Cape Cod Regional Tobacco Control Program (CCRTCP), as requested by the County Health and Environment Department Director
- d. Authorizing a certification that a copy of Layout 8699 (Alteration), dated March 25, 2020, attesting that the Massachusetts Department of Transportation, Highway Division, acting under the provisions of Chapter 6C and Chapter 81 of the General Laws, has altered the location of sections of State Highway in the Town of Bourne, has been filed in the Office of the County Commissioners

- e. Authorizing the execution of an agreement for a grant from the United States Department of Justice, Office of Justice Programs, in the amount of \$58,008.00 to the County's Cape Cod Center for Public Safety Training, for the project entitled COVID-19: Response and Prevention Efforts for First Responders and the Public on Cape Cod, for a period from June 5, 2020 through January 31, 2022
- f. Authorizing the execution of an agreement for a renewal grant, in the amount of \$152,648.00, from the United States Department of Housing and Urban Development (HUD) to the County Human Services Department, for Continuum of Care (CoC) Homeless Management Information Systems (HMIS) & Coordinated Entry Systems (CES) Projects, for a period from July 1, 2020 through October 31, 2021
- g. Authorizing the execution of an amendment to an agreement for a grant, executed July 18, 2018, from the United States Department of Commerce, Economic Development Administration, in the amount of \$140,000.00, to support the development and implementation of the Comprehensive Economic Development Strategy (CEDS) for Cape Cod, for a period from July 1, 2019 through June 30, 2021, to provide the third year of funding in the amount of \$70,000.00
- h. Authorizing the execution of an amendment to a contract with Foth Infrastructure & Environment LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for the amount of \$116,430.00, for a period from May 28, 2019 through November 28, 2020, for 1) Additional Pre- & Post-Dredge Hydrographic surveys, plan preparation, electronic line file preparation for dredging, and volume calculations for 2019-2020 season; and 2) continuation of On-Call Services through November 28, 2020
- i. Authorizing the renewal of a contract with B&B Electric, executed September 11, 2019, for On Call Electrical Maintenance and Repair, for a period from August 15, 2019 through June 30, 2020, with the option to renew for one (1) additional year, under the same terms and conditions of the original contract, for the period of one (1) additional year, from July 1, 2020 through June 30, 2021
- j. Authorizing the renewal of contracts, executed December 20, 2019, with Barbarian USA Inc.; Printing Supplies USA, LLC; Supplies Outlet; and The Tree House, Inc., for the supply and delivery of toners, for a period from December 18, 2019 through June 30, 2020, with an option to renew for one (1) additional year, under the same terms and conditions of the original contract, for the period of one (1) additional year, from July 1, 2020 through June 30, 2021

- k. Authorizing the renewal of a contract with FinePoint Associates LLC, executed May 31, 2019, to provide monitoring for Barnstable County HOME Consortium projects, for an amount not to exceed \$22,500.00 annually, for a period from July 1, 2019 through June 30, 2020, with two (2) one-year options to renew, under the same terms and conditions of the original contract, for the period of one (1) additional year, from July 1, 2020 through June 30, 2021
- l. Authorizing the renewal of a contract with Grouper Marketing & Creative, executed May 20, 2019, for marketing consulting services to Children's Cove, for a period through June 30, 2020, with the option to renew for two (2) additional, one-year periods, under the same terms and conditions of the original contract, for the period of one (1) additional year, from July 1, 2020 through June 30, 2021
- m. Authorizing the renewal of a contract with Grouper Marketing & Creative, executed December 4, 2019, for marketing consulting services to the County Department of Human Services, for a period through June 30, 2020, with the option to renew for two (2) additional, one-year periods, under the same terms and conditions of the original contract, for the period of one (1) additional year, from July 1, 2020 through June 30, 2021
- n. Authorizing the renewal of a contract with Vision 33, executed June 16, 2016, for implementation, configuration and related services for hosted Accela software, for a period from June 16, 2016 through June 15, 2018, with the option to renew for two (2) additional two-year periods, under the same terms and conditions of the original contract pending appropriation, for the period of two (2) additional years, from June 29, 2020 through June 29, 2022
- o. Authorizing the execution of Certificates for Dissolving Septic Betterments

9. Commissioners' Reports

10. County Administrator and Staff Reports

11. Adjournment

Reasonable accommodations for people with disabilities are available upon request. Please contact Justyna Marczak, Barnstable County ADA Coordinator at jmarczak@barnstablecounty.org or call 508-375-6646 at least 24 hours in advance of the meeting. The County Commissioners' meeting may be viewed in real time at <https://www.youtube.com/user/BarnstableCounty>, <https://www.barnstablecounty.org/>



COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the third day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020

Board Regional Commissioners:

Ronald R. Beaty Present remotely

Ronald Bergstrom Present remotely

Mary Pat Flynn Present remotely

Staff Present:

Jack Yunits County Administrator

Owen Fletcher Executive Assistant, Administration

Elizabeth Braccia Director of Finance/Treasurer

Sean O'Brien Director, Health and Environment

Deirdre Arvidson Public Health Nurse, Health and Environment

Vaira Harik Deputy Director & Senior Project Manager, Human Services

Ian Roberts Technical Support Specialist, Information Technology

Susan Quinones Barnstable County Human Rights Advisory Commission
Coordinator

Gail Coyne Operations Director, Cape Cod Commission

1. Call to Order

Chairman Bergstrom called the meeting to order at 10:00 A.M. The Chairman noted the Board held the meeting through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020.

2. Pledge of Allegiance

3. Moment of Silence

Chairman Bergstrom called for a moment of silence for all members of the United States Armed Forces serving at home and overseas.

4. Public Comment

The Board asked members of the public to direct all comments or questions to Mr. Yunits by phone or email and stated it would address any submissions at its next meeting.

5. Approval of Minutes

a. Regular Meeting of May 27, 2020

Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners' Regular Meeting of May 27, 2020 as presented, 2nd by Commissioner Flynn, approved 3-0-0

6. General Business

a. Update on COVID-19 (Novel Coronavirus) and Barnstable County

Mr. O'Brien reported though there were still cases, new cases were declining both in Barnstable County and the Commonwealth. He applauded the efforts of all County Departments to coordinate to provide a comprehensive County response. Further, Mr. O'Brien informed the Board that new signage for County beaches would soon arrive. He also spoke regarding work with Justyna Marczak, the County Human Resources Director to hire additional health agents.

Ms. Arvidson and Mr. O'Brien discussed new guidelines to open restaurants with outside seating rather than indoor dining. The Board, Ms. Harik, Ms. Arvidson, and Mr. O'Brien had a lengthy discussion regarding a recent spike in cases due to new standards that included probable cases. The Board also discussed the probability of seeing an increase in cases throughout the summer and issues with antibody tests. Ms. Arvidson and Ms. Harik noted in their opinion Barnstable County should not see a large increase in cases, and a positive antibody test does not automatically indicate immunity.

b. Update and general report from Susan Quinones, Barnstable County Human Rights Advisory Commission Coordinator

Ms. Quinones addressed the Board and noted the Commission has not been receiving a large amount of calls since the emergency began. She also highlighted the difference between human rights and civil rights. She further spoke about efforts to work with local law enforcement and provide more services. Ms. Quinones informed the Board regarding the Commission's Human Rights Academy, held virtually this year.

Commissioner Beaty asked a question regarding the Commission's support for the Mashpee Wampanoag Tribe's appeal of a Federal decision to no longer permit it to hold land in trust. Ms. Quinones described the current legal proceedings. Finally, Mr. Yunits discussed the reopening of the County's Police Academy and the need to be vigilant to prevent outside agitators from taking over recent protests of police brutality.

c. Fiscal Year 2019 Audit of Barnstable County Financial Statements

Ms. Braccia gave a detailed report to the Board regarding the current audit report. Commissioner Beaty clarified the cost for the audit was approximately \$40,000.00.

d. Discussion regarding the current status of Barnstable County and Cape Cod Commission Reserve Funds

Ms. Braccia and Ms. Coyne detailed the current state of the reserves to the Board.

7. New Business – Other business not reasonably anticipated by the Chair

a. Route 6 Rest Area funding

The Board had a lengthy discussion regarding the permit to operate the Route 6 Rest Area and the County's coordination with the Yarmouth Chamber of Commerce. Mr. Yunits highlighted information he sent to the Board and noted it may have to address costs for increased cleaning at later meetings if necessary.

8. Commissioners' Actions

a. Authorizing the award of a contract to IDEXX Distribution Inc, for Water and Wastewater Testing Products, in the amount of \$13,269.24

Motion by Commissioner Beaty to authorize the award of a contract to IDEXX Distribution Inc, for Water and Wastewater Testing Products, in the amount of \$13,269.24, as presented, 2nd by Commissioner Flynn, approved 0-0-0

- b. Authorizing the execution of a contract with Turtle Rock LLC, in the amount of \$58,740.00, to lease five-thousand (5,000) square feet of space for the Barnstable County Cape Cod Cooperative Extension, for a period from July 1, 2020 through June 30, 2021, with the option of one (1) additional year with a five (5) percent increase in rent**

Motion by Commissioner Beaty to authorize the execution of a contract with Turtle Rock LLC, in the amount of \$58,740.00, to lease five-thousand (5,000) square feet of space for the Barnstable County Cape Cod Cooperative Extension, for a period from July 1, 2020 through June 30, 2021, with the option of one (1) additional year with a five (5) percent increase in rent, 2nd by Commissioner Flynn, approved 0-0-0

- c. Authorizing the renewal of a contract with United Elevator Co., for Elevator Maintenance and Repair, for a period from July 1, 2019 through June 30, 2020, with the option to renew for one (1) additional year, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021**

Motion by Commissioner Beaty to authorize the renewal of a contract with United Elevator Co., for Elevator Maintenance and Repair, for a period from July 1, 2019 through June 30, 2020, with the option to renew for one (1) additional year, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021, 2nd by Commissioner Flynn, approved 0-0-0

- d. Authorizing the renewal of a contract with Robert Childs Inc., awarded May 8, 2019, for the disposal of Construction and Demolition Waste from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021**

Motion by Commissioner Beaty to authorize the renewal of a contract with Robert Childs Inc., awarded May 8, 2019, for the disposal of Construction and Demolition Waste from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunits noted the substantial saving for towns achieved from County Purchasing managing a consolidated procurement process for such contracts.

- e. **Authorizing the renewal of a contract with M&M Trucking, awarded May 8, 2019 for the transportation of Municipal Solid Waste (MSW) from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021**

Motion authorize the renewal of a contract with M&M Trucking, awarded May 8, 2019 for the transportation of Municipal Solid Waste (MSW) from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, for one (1) additional year under the same terms and conditions of the original bid, for a period through June 30, 2021, 2nd by Commissioner Flynn, approved 3-0-0

- f. **Authorizing the execution of Certificates for Dissolving Septic Betterments**

Motion by Commissioner Beaty to authorize the Chair to execute Certificates for Dissolving Septic Betterments, as presented, 2nd by Commissioner Flynn, approved 3-0-0

9. Commissioners' Reports

The Commissioners did not provide any reports at this meeting.

10. County Administrator and Staff Reports

The County Administrator and other County Staff did not provide any reports at this meeting.

11. Adjournment

Barnstable, ss. at 11:01 A.M. on this third day of June A.D. 2020, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0

List of Documents:

- Draft minutes of the Board of Regional Commissioners' Regular Meeting of May 27, 2020
- Barnstable County Hospital – COVID-19 Intensive Care Unit Bed Occupancy, Weekly & Most Recent, as of June 2, 2020
- Barnstable County & Massachusetts COVID-19 Epidemiological Curve--New Cases & Deaths, as of June 2, 2020
- Barnstable County COVID-19 New Cases, Daily, as of June 2, 2020
- Barnstable County, Massachusetts, Reports on Federal Awards Programs, Year Ended June 30, 2019
- Barnstable County, Massachusetts, Report of Examination of Basic Financial Statements, Year Ended June 30, 2019
- Barnstable County - County Operations, Unreserved Fund Balance
- Memorandum dated May 29, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, regarding Notice of Bid Award - #7909 Water and Wastewater Testing Products
- Memorandum dated May 21, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, regarding Notice of Bid Award - #7906 Lease of Office Space Cooperative Extension
- Vote of the Barnstable County Board of Regional Commissioners on May 27, 2020, authorizing the award of a contract to Turtle Rock LLC to lease five-thousand (5,000) square feet of space for the Barnstable County Cape Cod Cooperative Extension for a rent of \$58,740, for a period from July 1, 2020 through June 30, 2021 with the option of an additional year with a five (5) percent increase in rent, attested to by Janice O'Connell, Barnstable County Regional Clerk, on May 27, 2020
- Lease Proposal for the Cape Cod Cooperative Extension from Turtle Rock LLC dated May 1, 2020
- Memorandum dated May 28, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, regarding Contract Renewal - #7880 Elevator Repair & Maintenance
- Contract with United Elevator Company for Elevator Maintenance and Repair for a period from July 1, 2019 through June 30, 2019, with the option to renew for one (1) additional year
- Memorandum dated May 8, 2019 to the County Commissioners from Elaine Davis, Chief Procurement Officer, regarding Notice of Bid Award for Bids for Elevator Maintenance and Repair for Barnstable County and other Political Subdivisions
- Vote of the Barnstable County Board of Regional Commissioners on May 15, 2019, authorizing the award of a contract to, and execution of a contract with, United Elevator Company for Elevator Maintenance and Repair for Barnstable County and other Political Subdivisions for a period from July 1, 2019 through June 30, 2019, attested to by Janice O'Connell, Barnstable County Regional Clerk, on May 15, 2020
- Memorandum dated May 28, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, Contract Renewal - #7881 Disposal of Construction and Demolition Waste

- Memorandum dated May 3, 2019 to the County Commissioners from Elaine Davis, Chief Procurement Officer, regarding Notice of Bid Award for the Disposal of Construction and Demolition Waste from Town Transfer Stations
- Vote of the Barnstable County Board of Regional Commissioners on May 8, 2019, authorizing the award of a contract to Robert Childs, for the disposal of Construction and Demolition Waste from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, attested to by Janice O'Connell, Barnstable County Regional Clerk, on May 9, 2020
- Memorandum dated May 28, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, Contract Renewal - #7882 Municipal Solid Waste
- Memorandum dated May 3, 2019 to the County Commissioners from Elaine Davis, Chief Procurement Officer, regarding Notice of Bid Award for Bids the transportation of Municipal Solid Waste (MSW) from Town Transfer Stations
- Vote of the Barnstable County Board of Regional Commissioners on May 8, 2019, authorizing the award of a contract to M&M Trucking for the transportation of Municipal Solid Waste (MSW) from Town Transfer Stations, for the Towns of Chatham and Eastham, for the period of July 1, 2019 through June 30, 2020, with the option to renew for two (2) additional one-year periods, attested to by Janice O'Connell, Barnstable County Regional Clerk, on May 9, 2020
- Memorandum dated May 29, 2020 to the Board of the Regional Commissioners from Community Septic Management Loan Program with the subject Certificates for Dissolving Septic Betterments

Approved, Board of Regional Commissioners:


Ronald Bergstrom, Chair


Mary Pat Flynn, Vice-Chair


Ronald R. Beaty, Commissioner

6/17/2020
Date

The foregoing records have been read and approved, June 17, 2020

A true copy, attest:



Janice O'Connell, Regional Clerk



**The Massachusetts Chiefs of Police Association and the
Massachusetts Major City Chiefs present**

***A Response to The Final Report of
The President's Task Force on
21st Century Policing***



September 2015

As veteran police officers, the members of the Massachusetts Chiefs of Police Association (“MCOPA”) and the Massachusetts Major City Chiefs (“MMCC”) recognize that the public’s perception of police legitimacy is fundamental to effective policing and maintaining safe communities. Keeping communities safe requires establishing and preserving positive relations and continued trust between the police and the people they protect and serve. Crime statistics suggest that generally, people are the safest they have been in decades. Some studies reveal, however, that despite lower crime rates in many places, overall citizens’ confidence in and attitudes toward the police have not improved.¹ Some believe that tactics used by the police to reduce crime in such areas have left residents feeling targeted.

Certain events of the last year have exposed significant shortcomings, and sometimes complete breaches, in the bond that must continue to exist between the police and the people we serve. High profile law enforcement cases, including the controversial use of force deaths of Michael Brown in Ferguson, Missouri and Eric Garner in New York City in 2014, and a series of cases in 2015 in Baltimore, Maryland; North Charleston, South Carolina; Cleveland, Ohio; and most recently in Mount Auburn, Ohio, are the latest examples of a widening chasm between the criminal justice system and the communities it serves. Coverage of these high profile events by the national media has exposed the country to a series of controversial and questionable uses of force by police officers, sometimes accompanied or followed by massive public demonstrations and even riots, with the release of video evidence. The advent of body-

¹ Jeffrey M. Jones. “In U.S., Confidence in Police Lowest in 22 Years.” *Gallup*. June 19, 2015.

worn cameras (“BWC”) used by some police departments, dash cam video, and the ability of smart phones to capture high quality recordings, combined with the use of social media to spread witness accounts and videos of police-citizen interactions, has provided the American public with a front row seat to interactions between police officers and members of the public.

As a result, some law-abiding citizens who, a year ago, would have described themselves as wholehearted supporters of the police, today wonder whether their support has been misplaced or based on naïve assumptions. The police chiefs of Massachusetts know that these highly-publicized episodes of misconduct do not fairly represent the abundance of good police work officers perform every day. Indeed, challenges having little to do with crime control, such as people on the street struggling with issues related to mental health, drug and alcohol addiction, and homelessness, heavily influence the very nature of police work in the 21st Century.

The United States has approximately 18,000 police agencies served by over 800,000 officers and agents who, by and large, do an exceptional job under extremely difficult and trying circumstances. Every day, officers respond to calls regarding people struggling with mental illness and/or addiction problems, and in most cases, interact with people needing our help in a highly respectful and productive manner. It is unlikely, however, that a couple of patrol officers being called to a home to calm an emotionally disturbed person and talk him/her into voluntarily taking a ride to a hospital for needed medical services will attract the attention of the media or even the so-called “*Twitter-sphere*” – nor should it attract such attention.

It is estimated that police in the United States make up to 30,000 arrests per day.² Most of those arrests do not involve the use of any physical force at all, however slight. Only a small percentage of those police officers that do use force catch the national spotlight or raise the concerns we have seen since the events in Staten Island and Ferguson, as well as other nationally publicized events. We cannot, however, be content with the knowledge that most police do a laudable job most of the time. The public demands answers, to which they are absolutely entitled, just as our officers deserve the requisite training, policy guidance, equipment, and the necessary funding that will support them in our collective mission to guard our communities from crime, disorder, terror, and the fear of crime.

Our two associations are committed to providing new training to police officers and police chiefs, working with our communities in open and constructive ways, and conducting improvements in an open and transparent manner. We do not pretend to have all the answers, but we hold ourselves to an extremely high standard and are responsible for leading our officers to provide top quality protection to the communities that we so faithfully serve. In doing so, it is our intention to earn their collective respect, trust, and spirit of cooperation in fulfilling our duties and obligations. Officer-involved confrontations and officers' uses of force skew the public's perception of and can compromise the public's trust in the police and the rest of the criminal justice system as a whole. It is crucial, therefore, to actively form and foster a connection between the police and the public.

² "Crime in the United States, 2013." *FBI Uniform Crime Report*. 2013.

This requires developing and implementing policies and procedures that address officer bias, use of force, and an officer's response to threatened and/or actual force and/or confrontation. It is equally important to educate and train officers, as well as the public, about these important policies and procedures. It is also imperative to create an ongoing dialog with communities to understand what they believe is necessary to foster trust between the public and the police and to ensure the safety and protection of both. We see these steps and the examining of new approaches to policing not as an indictment of the current state of policing but as an evolution in policing and crucial movements towards ensuring that local communities have complete faith and confidence in the police officers protecting them as well as the entire criminal justice system.

Another approach to sharing transparency and improving accountability is through cultural change, both internal and external to the department. Change does not come easily in any agency. Transformational change is slow and deliberate. If done correctly, however, the change will reap great rewards for the agency and the community it serves. According to Edgar Schein³, shared values and underlying assumptions are the two major factors of culture. In order to change them internally and externally, the police leader needs to share his/her vision and provide meaning to the constituent base. Once that is accomplished, the leader's increased credibility motivates others to foster positive change. There is a notion that "culture trumps

³ Former professor at MIT Sloan School of Management, specialized in organizational development and organizational culture.

policy,” and in many ways it does. Only by changing the culture through effective leadership and transparency will community trust become attainable.

The President’s Task Force and Report on 21st Century Policing

In December 2014, President Barack Obama created the Task Force on 21st Century Policing. The Task Force was charged with identifying best police practices from across the country and offering recommendations on how those practices can facilitate both a reduction in crime as well as the fear of crime and building public trust within local communities across the nation. The recommendations were formally published on May 18, 2015, in the Final Report of the President’s Task Force on 21st Century Policing (“Report”). The Report is organized around six major topic areas, referred to as “Pillars,” each of which addresses an important aspect of policing and police-community relations. The six Pillars are classified as: (1) Building Trust & Legitimacy, (2) Policy & Oversight, (3) Technology & Social Media, (4) Community Policing & Crime Reduction, (5) Training & Education, and (6) Officer Safety & Wellness.

We view the Pillars and the Report’s corresponding recommendations as a unique opportunity to examine what we do here in Massachusetts and to continue providing officers with the necessary tools and information that increase their efficiency and effectiveness at reducing crime while simultaneously building trust within our communities. We will incorporate certain recommendations from the Report into our existing comprehensive training programs. This position paper highlights the work that Massachusetts police departments across the entire state have already done and will continue to do to ensure effective police practices, particularly in light of the Report’s

recommendations. It identifies areas where some of the Report's recommendations are already in place and reviews their effectiveness. We also examine each of the six Pillars to determine whether and how the police of Massachusetts align with them and what the Commonwealth can do to better achieve the goals of each particular Pillar.

Massachusetts has practiced certain of the Reports' recommendations for years

Over the past twenty years, Massachusetts police departments have collectively worked to improve police practices in order to decrease overall crime and increase community partnerships by way of focused outreach and engagement. Accordingly, several of the Report's recommendations have been standard practice for police departments in the Commonwealth for several years. These practices include: (1) police participation in positive, non-enforcement activities that promote community engagement, such as substance abuse coalitions, neighborhood watches, and citizen police academies; (2) stricter regulations on the use of Electronic Control Weapons, such as using TASERs only when a subject is physically violent; (3) prosecutors overseeing criminal investigations in cases of officer-involved shootings and in-custody deaths; and (4) integration of bias elimination and reform-based eyewitness identification in police officer training. In addition, the Municipal Police Training Committee ("MPTC"), the state agency responsible for setting standards for the training of municipal police officers, completely overhauled its recruit training in the 1990s. The revised curriculum was built upon a foundation of ethical decision-making and increased community engagement. With respect to the six Pillars, we address each of them individually.

The Six Pillars

I. Building Trust & Legitimacy

Pillar 1, “Building Trust & Legitimacy,” states that law enforcement agencies and their officers should adopt a “guardian” rather than “warrior” mindset. The public perceives law enforcement as legitimate only when its officers are acting in “procedurally just” ways, such as “treating people with dignity and respect, giving individuals ‘voice’ during encounters, being neutral and transparent in decision making, [and] conveying trustworthy motives.” The goals of this Pillar encourage police departments to cultivate transparency and accountability, engage with communities via non-enforcement activities, use physical control equipment and techniques against vulnerable populations only as a last resort, consider public opinion when implementing certain crime-fighting strategies, create diverse workforces, and build positive relationships with immigrant communities.

We are in agreement that positive police-community interactions facilitate increased public trust and confidence in the police. Community members feel comfortable communicating with what they perceive as “*good cops*.” They view these so-called good cops as part of the fabric of the community. This is one of the key distinguishing characteristics between police with a guardian mindset and officers with a so-called “warrior” mindset. The guardian operates as part of the community, demonstrating empathy, and employing procedural justice principles during all interactions with the public. The behavior of the warrior, on the other hand, can at times lead to the perception of an occupying army, detached and alienated from the

community, exhibiting an “us versus them” mentality, and missing unique opportunities to build trust and confidence based on positive interactions.

We agree that the culture of police should embrace this guardian mindset, which needs to begin at recruit academies and continue through in-service training. Just as important, the guardian approach to policing must become ingrained into police departments’ daily operations. Chiefs can promote the approach by communicating values and internal policies that emphasize service and general protection of the citizenry; sergeants and command staff play a crucial role through their oversight of operations and communications with officers. Nearly all Massachusetts police departments already utilize the “community policing” philosophy and interact with their local communities by offering or participating in substance abuse coalitions, neighborhood watches, citizen police academies, assigning School Resource Officers to schools, and a wide range of similar programs. The MCOPA and MMCC are working to further develop these forms of community engagement, and the MPTC is including a discussion regarding the guardian mindset in its in-service training for the coming year.

Further, the MCOPA and MMCC are committed to helping chiefs find better ways to foster and maintain diversity within our police departments. Early recruitment is crucial to achieving this goal. Police officers should encourage people, particularly from underrepresented communities and as early as high school, to consider careers as police officers.

We also believe that chiefs should affirmatively reach out to immigrant communities and openly discuss their departments’ core missions. We recognize and value the diversity of the communities that we serve. Many of our residents have

emigrated to this community from other countries; some may not be citizens or legal residents of the United States. With that knowledge, we are committed to promoting safety and providing proactive community policing services to all who are located in our respective communities. In Massachusetts, routine encounters with people unlawfully residing in the United States seldom lead to deportation or reporting to federal immigration officials. There can be, however, a lack of understanding between individual police departments and their immigrant communities. Thus, there need to be additional opportunities to educate immigrant communities about the nuances of when and how immigration reporting occurs, what avenues exist for reporting crime in their communities, and the implications of encounters with police officers. We hope that this increased communication between the police and immigrant communities will result in an increased willingness to come forward, an increased voice, and therefore, greater safety for these often-marginalized communities.

As police officers, we rely upon the cooperation of all persons, documented citizens and residents, as well as those without a specific documentation status, to achieve our important goals of protecting life and property, investigating and preventing crime, and resolving recurring neighborhood issues. Assistance from the many various immigrant populations is especially important when an immigrant, whether documented or not, is the victim of or witness to a crime. It is absolutely essential that these individuals do not feel uncomfortable or intimidated in coming forward with information and firsthand knowledge to aid in investigating a particular crime. This type of mutual trust and cooperation is absolutely crucial in preventing and solving criminal incidents, as well as maintaining public order, safety, and security in an entire community.

It is incumbent upon all officers to make an unyielding personal commitment to equal enforcement of the law and equal service to the public regardless of documentation status. Confidence in this valued commitment will not only protect an individual's rights and freedoms from being adversely affected but will also increase the public's confidence and trust in the police department's effectiveness and efficiency in protecting and serving the members of the entire community.

Therefore, we, as duly sworn police officers, are responsible for providing effective police services to everyone in an equal, fair, and just manner. We are concerned primarily for the safety and welfare of all individuals within our respective communities. The specific immigration status (or lack thereof) of an individual or group of individuals in and of itself, is not and should not be a matter of police concern or enforcement action.

Finally, as local police officers, we defer to federal authorities for the enforcement of the nation's civil immigration laws or the concomitant use of discretion. Accordingly, local police do not undertake immigration-related investigations and do not routinely inquire into the immigration status of people encountered during normal police operations. This does not, however, preclude police officers from cooperating and assisting with federal immigration officials when formally requested as part of an on-going *criminal* investigation or from notifying those specific federal authorities in serious situations where a potential threat to public safety or national security is perceived.

II. Policy & Oversight

Pillar 2 focuses on police policy, noting that police departments must clearly articulate their policies to the public and should not engage in practices that disparately impact particular segments of the community. Policies on the use of force are of the utmost concern, and police departments should incorporate a “*sanctity of life*” philosophy into these policies.

The Report recommends that police departments develop policies that foster collaboration between the police and neighborhoods that are disproportionately affected by crime. It also recommends that departments have comprehensive policies on the use of force that emphasize de-escalation, mandate external and independent criminal investigations, and require external prosecutors in cases of police use of force that result in death. It further recommends implementing non-punitive peer review systems, adopting identification procedures that minimize bias, making demographic data of departments publicly available, and collecting and maintaining data on all detentions. The Report advises departments to minimize the appearance of military operations at mass demonstrations, refrain from practices that are largely for revenue-generating purposes, and prohibit practices that discriminate against LGBTQ and transgender populations or that profile based on race, ethnicity, gender, religion, age, immigration status, disability, and/or language fluency.

Massachusetts already follows many of these listed recommendations. Specifically, training in the use of force is in compliance with United States Supreme Court decisions and emphasizes that officers may use only the degree of reasonable force necessary to make an arrest or protect the public. Further, use-of-force training in

the Commonwealth utilizes a response model that incorporates the principle of de-escalation, without referring to it as such. This means officers are expected to adjust their response to a person's actions as the person escalates or deescalates the situation. Additional training regarding techniques for better utilization of distance, time, and communication, and further policy guidance in the area of making arrest-summons decisions would be useful and is scheduled for the coming training year.

Massachusetts also already requires prosecutor-lead investigations for cases of police use of force that result in death. The district attorney in each county has jurisdiction over most investigations of deaths and must coordinate the investigation with the local police department and the Office of the Chief Medical Examiner.⁴ While officer-involved shootings seem to occur less frequently in Massachusetts, when they do occur, we believe the resulting investigations are thorough, transparent, and fair. We are not opposed to exploring new approaches; however, any change in the current system would require a considerable coordinated effort between police and district attorneys, and ultimately may require passing legislation.

We agree that there is an inadequate system, or some would argue, no real system at all, for gathering nation-wide data on officer-involved shootings. While Congress mandated the FBI to collect the data, there is no mandate that police departments submit it. To be fair, departments that experience low rates of shootings are, by and large, unaware that the FBI collects the information. We know from discussions with the FBI that an effort is underway to create a more reliable reporting

⁴ See G.L. c.38, §4.

system. Such a system is likely to require some time and funding before it is fully available.

We encourage the Commonwealth, presumably the Executive Office of Public Safety and Security (“EOPSS”), to begin collecting OIS data from Massachusetts police departments. This data should include instances where an officer fires his weapon in the line of duty, excluding training and the destruction of a wounded animal, as well as data on instances where officers are fired upon. We recommend that the data be released publicly on a quarterly basis. We do not envision this system to be permanent, but we support the collection of statewide data now so that it may be made available for public scrutiny while we await further action by the federal government.

Massachusetts is already a leader in the area of bias elimination in identification procedures. A joint survey in 2013 by the MCOPA and the New England Innocence Project identified 253 police departments – including the Massachusetts State Police and MBTA Transit Police – that had policies already in place regarding elimination of bias and identification procedures. The survey found that 85% of those policies incorporated reform protocols. Further, in 2014, at the urging of the MCOPA, the MPTC mandated that all police academies teach reform-based eyewitness identification to all recruits. In 2015, at the urging of our working group, the MPTC mandated the topic for veteran in-service training during the 2015-2016 academic year.

Given the experiences of the past year, police departments should review their policies and training on the policing of mass demonstrations. The Boston Police Department (“BPD”) has a particularly good reputation for managing large demonstrations in safe and peaceful ways. The MCOPA and MMCC will seek guidance

from the BPD in shaping model policies and training issues for local police departments across Massachusetts.

We are unaware of any police department in Massachusetts that uses traffic enforcement to generate revenue for their city or town, as was the case in Ferguson, Missouri. The MCOPA and MMCC believe that traffic enforcement should focus on violations that are most likely to lead to crashes, on geographic areas where crashes frequently occur, and on areas where citizens report frequent violations.

We agree with the recommendations concerning the prohibition of any form of discrimination or profiling and believe that most Massachusetts police departments already have appropriate policies in place. While police chiefs are responsible for ensuring that their officers conduct themselves in ways that are free of prejudice, some members of the minority community report stops and encounters they perceive as unfair or too frequent. As one step to address this issue, the working group sought to ensure that every municipal police officer of every rank undergoes training on implicit bias. Implicit bias is present in us all; it is part of our make-up. It is based on our experiences and exposure to what we see and hear. An elderly driver, a kid wearing a cap sideways, a black man with dreadlocks: any of these visuals can trigger an unconscious, internal response, in most cases, one we are not aware of or would rather not admit to. This is implicit bias and police departments across Massachusetts are committed to understanding its effects. To further officers' understanding of implicit bias and its impact on their performance and community interactions, the MPTC is including the topic in its mandatory in-service training for the coming training year.

III. Technology & Social Media

Pillar 3 focuses on ways in which the effective use of modern technology can enhance transparency and facilitate a dialogue between police departments and their communities. Because technology advances at a faster rate than law and policymaking, the Report recommends implementing technology in ways that improve efficiency but do not infringe on individual rights. The Report primarily focuses on the integration of social media and the use of BWCs.

We agree that police departments should adopt best practices for technology-based community engagement. The MCOPA and MMCC will provide a model policy to its member agencies on the use of social media. Training on this topic is readily available. Again, Massachusetts has proven to be at the forefront. The Report commended the BPD for how it embraced and utilized social media, particularly surrounding the 2013 Boston Marathon bombings:

The BPD successfully used Twitter to keep the public informed about the status of the investigation, to calm nerves and request assistance, to correct mistaken information reported by the press, and to ask for public restraint in the tweeting of information from police scanners. This demonstrated the level of trust and interaction that a department and a community can attain online.

Unlike most other states, Massachusetts utilizes a very restrictive system for the issuance of Electronic Control Weapons (“ECW”), better known by the brand name TASER, which are known to reduce both officer and civilian injuries. Departments seeking to issue TASERs must apply for approval from EOPSS, which has traditionally

only approved police departments that submit policies restricting the deployment of TASER probes to those cases where suspects are actually assaultive.

With regard to the use of BWCs, the MCOPA and MMCC strongly recommend two changes in state law. First, the MCOPA has filed legislation that would list BWCs as exemptions to the definition of an intercepting device under the state wiretap law. This change would ensure that police officers are not violating the statute if they wear a BWC during an encounter with a citizen and would apply only to officers in full uniform or cameras in marked police cruisers. It should be policy that officers tell citizens that they are being recorded. If, however, the circumstances of an encounter change and other people enter the conversation, it should be clear that the presence of a BWC is lawful.

Second, we recommend re-examining the state's public records law. In some states, public record requests for large volumes of recordings have created a heavy burden on police departments as they attempt to redact the recordings due to privacy and confidentiality issues. This burden has caused police departments elsewhere to terminate their programs, which undermines the goal of increasing transparency and communication between the police and the public. We believe that certain parties should have access to footage of specific incidents, namely the media, individuals involved in the incident, and courts and attorneys handling litigation relating to specific incidents. Uninvolved members of the general public, on the other hand, should not be able to demand video recordings of incidents because redacting them for privacy and confidentiality issues places a heavy burden on police departments.

IV. Community Policing & Crime Reduction

Pillar 4, “Community Policing & Crime Reduction,” emphasizes the importance of establishing positive relationships between police departments and communities. Similar to Pillar 1, it aims to reduce crime in a just manner while protecting individual citizens’ rights. Police interventions must be conducted with “strong policies and training” that are rooted in “procedural justice.” Community policing helps create partnerships among police agencies, educational and religious institutions, and other stakeholders. It thereby increases economic strength and social connectivity. Community policing also improves officers’ job satisfaction and increases community resilience to crime. The goals of this pillar include developing policies that favor community engagement, collaborating on crisis situations that engage multiple organizations, reflecting the values of “protection and promotion of the dignity of all,” and addressing the needs of at-risk youth by adopting programs and creating youth leadership opportunities.

We agree in full with these goals and note that many Massachusetts police departments are already implementing “least harm” resolution strategies that evolved out of the community policing philosophy. We agree that police departments should integrate community policing into their culture and organizational structure.

We also agree that, in crisis situations, police agencies should engage in community team approaches. Many jurisdictions in Massachusetts already participate in regular forums and meetings that encourage the public to interact with and inform the police. Chiefs should also work with their schools to encourage alternatives to criminal prosecution for in-school disruptive behavior, including restorative justice, counseling,

and family intervention. At the federal level, we agree that the United States Department of Justice (“USDOJ”) should develop and disseminate baseline models of crisis intervention tactics that agencies at the local level can implement.

We believe that, whenever possible, police departments should also evaluate their patrol deployment practices to provide officers with the time to solve problems and engage the community. We propose the development of training for executives, sergeants, and patrol officers to encourage creative thinking on this issue and to promote increased community engagement.

Further, we recognize that social and physical disorder promotes criminal activity, whereas social cohesion and neighborhood order foster more crime-resistant communities. With these insights in mind, we agree that new policing approaches must balance emergency response with a focus on addressing the persistent neighborhood problems linked to crime. We recognize the important role that the police department plays in producing public safety by engaging residents as partners in preventing crime, which reintegrates police officers into the fabric of the community and helps improve overall community-police relations. To this end, we agree that it is essential that we continue to work with the community to help build stronger self-sufficient communities. Crime control tactics need to be augmented with strategies to prevent crime, reduce the fear of crime, and improve the quality of life in our local neighborhoods across the Commonwealth.

Problems are most often local in nature, which makes local knowledge and the experience of community members a key aspect to effective problem-solving and sustained progress. Community involvement, from identifying problems in the first

instance to establishing priorities, setting the agenda, and tailoring the appropriate response, are absolutely essential. Understandably, incorporating community knowledge and experience into policing and achieving real inclusion, as opposed to mere community legitimization of police-set priorities, presents real challenges. However, if we as police leaders are to sustain long-term success in our respective communities in reducing crime, this type of partnership is essential and will ultimately be the key.

V. Training & Education

The fifth Pillar, “Training & Education,” identifies the wide variety of challenges police officers face, including international terrorism, improved technology, changes in societal expectations of their police, and rapidly changing laws. The Report emphasizes the need for new training curricula for both academy recruits and veteran officers on topics such as interpersonal and communication skills, bias awareness, procedural justice and impartial policing, mental health issues, and analytical research and technology. The Report notes the need for reform in recruitment, hiring, evaluation, and promotion practices. Such reforms are essential to developing a more highly-educated workforce that can effectively engage with the community.

The MCOPA and MMCC wholeheartedly agree with the call for improved training. While the Commonwealth already leads the nation in many of these areas, we recognize there is always room for improvement. To that end, the MPTC is already engaged in a complete overhaul of the academy recruit curriculum, including not only the content but also the philosophies that provide the foundation for ethical decision-making, legitimacy, and community engagement. We agree that the traditional “boot

camp” environment has no place in modern police training. However, we firmly support the use of a modified stress environment in early academy training because it provides high-stress situations where recruits learn restraint and good judgment. We also believe that Field Training Officer programs should be re-examined, and perhaps modeled after the Southern Police Institute's Police Training Officer (PTO) curriculum, which is specifically designed for agencies engaged in community policing and problem-solving service delivery methods.

We also agree that increased adult-based learning and scenario-based training are essential, and we support partnerships with academic institutions that can assist with academic data collection and research. Some police departments in the Commonwealth already engage in these partnerships with various universities, including Harvard University and Northeastern University. The MCOPA and MMCC agree with higher education initiatives and programs that improve recruit and veteran officer training and that focus on leadership, social interaction, mental health and addiction issues, cultural diversity, and procedural justice.

Although Massachusetts already has many programs in place that further the goals of this Pillar, we agree that the federal government should get involved by developing a national postgraduate institute of policing for senior executives. Such an institute would prepare them to lead agencies in the 21st Century, in addition to encouraging and incentivizing higher education for police officers and creating an environment for the sharing of ideas, practices, and experiences. We also agree that the foundation for developing, improving, and facilitating best-practices for police training, for establishing accountability, and for enhancing professionalism is a strong,

state-level Peace Officer Standards and Training (“POST”) agency. Such agencies play a prominent role in other states. Massachusetts is one of a handful of states without a POST system in place. We propose that the legislature create a POST system, and we will support legislation to accomplish that. This will not be a simple task and will need additional planning, consideration, development, and funding.

VI. Officer Wellness and Safety

Because policing is inherently dangerous, addressing Pillar 6, “Officer Wellness & Safety,” is critical. Recent officer deaths remind us of the risks police officers face and that physical, mental, and emotional injuries can take a toll on an entire agency. The concerns that police officers have for their safety are well-founded. Data compiled by the FBI shows a steady increase in ambush attacks on officers over the past three decades,⁵ and figures from its 2013 Uniform Crime Report show that nearly 50,000 officers were assaulted the previous year, over 14,000 of whom sustained injuries.⁶ At the same time, officers are under increased stress and scrutiny, and years of exposure to society’s darker side can cause cynicism to creep into their daily decision making. We want them to be healthy. We need them to be healthy because we need emotionally sound and balanced decisions.

The Task Force states, and the MCOPA and MMCC agree, “The wellness and safety of law enforcement officers is critical not only to themselves [...] but also to public

⁵ Melissa J. Blake and Roger D. Miller. “Officer Safety Corner: Ambushes on U.S. Law Enforcement Officers.” *The Police Chief*. August 2015.

⁶ “2013 Law Enforcement Officers Killed and Assaulted.” *FBI Uniform Crime Report*. 2013.

safety.” Pillar 6 focuses on strategies for officer wellness, including: physical, mental, and emotional health; vehicular accidents; officer suicide; shootings and assaults; and partnerships with social services and unions to develop solutions. Although the MPTC already addresses these issues in its recruit training, the MCOPA and MMCC agree there is a need to further develop appropriate programs and services that promote officer wellness and awareness at every level of police organizations.

This Pillar also considers the physical equipment provided to officers. We agree Congress should reauthorize and expand the Bulletproof Vest Partnership, and USDOJ should expand data collection efforts on injuries and “near misses” in addition to officer deaths. We agree that local departments should provide all officers with first aid kits and anti-ballistic vests, adopt policies requiring the use of seatbelts and bulletproof vests, and, at every level of training, emphasize the consequences of failing to do so. Implementing these changes would further the overall goal of officer wellness and safety.

Plan of Action

The MCOPA and MMCC are committed to the continued examination and reform of police practices, particularly to increase community engagement, transparency, and public trust. As such, we are pleased to announce our Plan of Action.

A. Training for Chiefs

In September 2015, we will partner with the MPTC in the presentation of a two-day Chiefs’ Conference. Upon the recommendation of the working group, the MPTC has mandated that the following topics be presented:

- Fair and Impartial Policing Half Day
- Developing Legitimacy and Procedural Justice Half Day
- Eyewitness Identification Half Day
- Community Engagement 2 Hours
- Community Collaboration - Persons with Mental Illness 2 Hours
- Managing Critical Incidents 30 Minutes
- Review of Veteran Officer Mandates 30 Minutes

The MPTC will offer make-up classes for chiefs whose schedules prevent them from attending the two-day conference.

B. Veteran In-Service Training

The MPTC has mandated forty (40) hours of in-service training per year for all officers, regardless of rank. The following training for all municipal police officers is mandated within the 40 hours of mandated training for the coming year:

- CPR/First Aid 6 hours
- Legal Update 6 hours
- Defensive Tactics Skills 3 hours
- Use of Force Revisited 3 hours
- Fair and Impartial Policing 3 hours
- Eyewitness Identification 3 hours
- Critical Incident Response Protocols 30 Minutes
- Firearms Requalification and Training*

* Due to the nature of this training, no minimum hours are mandated. Instead, each officer is required to fire a proficiency qualification course each year and in addition, fire an additional fifty (50) rounds of ammunition in at least two live-fire training sessions. The time required varies by department; consequently, the standard is based upon sessions and rounds fired, rather than time.

C. Legislative Proposals

The following bills were filed upon the request of the MCOPA at the beginning of the 2015-2016 legislative session and are currently pending:

- 1) House 1637, sponsored by Representative Paul Tucker, would amend the current wiretap law to make it clear that a police officer wearing a BWC, or using a dash-cam in a marked cruiser, was not in violation of the law, and
- 2) House 1290, sponsored by Representative John Fernandes, would require that the State Police, Transit Police, and the police department of any city or town of 2,000 or more residents adopt uniform policies on eyewitness identification. The State Police, Transit Police, and most municipal police departments already have such policies, and the MCOPA will provide a model policy for adoption by those who do not.

As stated previously in this position paper, we believe that the Commonwealth's public records law should be amended for the purposes of protecting the privacy of citizens recorded by the police, and to prohibit the release of large quantities of recorded material to uninvolved parties. We also believe that the Commonwealth should adopt a POST model and have begun discussions with key legislators about a potential piece of legislation to accomplish it.

D. Policy Development

The MCOPA and MMCC will develop the following model policies for use by Massachusetts police chiefs:

- The Productive Use of Social Media

- Ballistic Vests and Seatbelts
- Community Engagement

Conclusion

Today, people are closely watching their police and rightfully so. We condemn the acts of officers who have betrayed their oaths or who have been abusive to citizens. They have no place among us. But we also recognize that the use of force, even when justified, can be difficult to watch. We hope the public judges officers based on an entire incident, when the relevant facts and circumstances have been gathered, thoroughly investigated, and brought to light.

Many of the televised incidents involving use-of-force by police, justified or not, involved a person who was resisting or fleeing the police. It is worth noting that when a person runs from the police or resists being taken into custody, the level of risk within the event – to the suspect, to the officers, and to bystanders – increases dramatically. We encourage people who find themselves stopped or being arrested to comply with the lawful requests of the police officer. There are numerous avenues of restitution for a citizen who feels they have been wronged by the police, including filing specific motions in court to dismiss or suppress evidence, the filing of a complaint with the internal affairs unit of the involved police department, contacting the specific police chief directly or through an intermediary, or taking the case directly to the media. A person who believes his or her arrest was unlawful and who resists police efforts to take them into custody may well be mistaken and both resistance and subsequent flight substantially increase risk to all involved.

We cannot emphasize enough the great faith and confidence we have in, and true appreciation we have for, the men and women who serve our communities as police officers. Every day, they handle society's most perplexing problems, and in most cases they do it seamlessly and without incident. They provide comfort to the sick and injured, assist the mentally ill and those addicted to alcohol and drugs, and respond to the scenes of domestic disputes where violence has taken place and young children have witnessed such trauma. They all have chosen to wear the uniform in the hopes that they can be helpful to those who need it.

We mourn for the families, loved ones, and police departments of officers who have been killed in the line of duty. We are extremely concerned with the increasing rate at which offenders attack police officers, whether armed or unarmed, and with little concern for the consequences for their actions.

The citizens of Massachusetts should know that their police and their chiefs of police are absolutely committed to protecting them and providing the highest quality of service. We continue to live by the ideal expressed by Sir Robert Peele in 1829, "the police are the people and the people are the police."

Acknowledgments

In response to the release of the recommendations of the President's Task Force on 21st Century Policing formally published on May 18, 2015, a working group was established by criminal justice practitioners from within this Commonwealth with members from the Massachusetts Chiefs of Police Association (MCOPA), the Massachusetts Major City Police Chiefs Association (MMCC), the Attorney General's Office (AGO), the Massachusetts Municipal Police Training Council (MPTC), and the International Association of Chiefs of Police (IACP).

Members of the Working Group:

Chief William G. Brooks III (co-chair)
MCOPA Vice President
Norwood Police Department

Chief Brian A. Kyes (co-chair)
MMCC President
Chelsea Police Department

Chief Terrence M. Cunningham
IACP Vice President
Wellesley Police Department

Commissioner Robert C. Haas
Former Secretary of Public Safety
Cambridge Police Department

Chief James G. Hicks
MPTC Chairman
Natick Police Department

Chief Douglas W. Mellis
MCOPA President
East Longmeadow Police Department

James H. O'Brien
Chief, Public Integrity Division
Massachusetts Attorney General's Office

Chief A. Wayne Sampson (retired)
MCOPA Executive Director
Shrewsbury Police Department

Chief Richard E. Smith
MCOPA Executive Board
Wakefield Police Department

Daniel R. Zivkovich
MPTC Executive Director

The working group offers special thanks to two interns serving in the Office of the Attorney General, Natalie Cappellazzo (Boston College Law School) and Stephanie Leahy (Northeastern University).

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to ratify a letter of support from the County Board of Regional Commissioners to the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness Center (MVP) Program, dated June 11, 2020, for the Town of Barnstable's application for a Municipal Vulnerability Action Grant, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk



BARNSTABLE COUNTY COMMISSIONERS

SUPERIOR COURTHOUSE
3195 MAIN STREET
P.O. BOX 427
BARNSTABLE, MASSACHUSETTS 02630
PHONE: (508) 375-6648
FAX: (508) 362-4136

HOME RULED CHARTERED
IN 1989

RONALD R. BEATY
Barnstable

RONALD BERGSTROM
Chatham

MARY PAT FLYNN
Falmouth

June 10, 2020

Kara Runsten
Municipal Vulnerability Preparedness Center (MVP) Program Manager
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, Ma. 02114
kara.runsten@mass.gov

RE: Supporting the Town of Barnstable and their application for a Municipal Vulnerability Action (MVP) Grant

Dear Ms. Runsten,

I write as Chair of the Barnstable County Board of Regional Commissioners, on behalf of the entire Board, to offer our endorsement and this strong letter of support for the foresight evidenced by the Town of Barnstable in applying for (MVP) grant funding. We join the Barnstable Clean Water Coalition and the Massachusetts Alternative Septic System Technology Center, (MASSTC), a Division of Barnstable County, in a collaborative effort to aggressively develop affordable alternative treatment systems to meet Cape-wide challenges to improve water quality and to keep it clean.

The Massachusetts Alternative Septic System Technology Center has a long, experienced history of collecting and analyzing data on innovative and alternative systems with the goal of developing sustainable, nature-based, low-impact onsite wastewater treatment as an adjunct to Barnstable's overall wastewater management plan. MASSTC recognized early on that cost analysis would play significantly into the Cape's ultimate solution and set forth on a mission to develop an affordable, environmentally based solution that would improve the face of onsite solutions at an affordable cost.

The Town of Barnstable and the Clean Water Coalition simultaneously has endeavored to conduct a comprehensively detailed site selection and identified a locus that includes an opportunity to cluster innovative and alternative septic systems around a pond heading for environmental extinction. The need is obvious and immediate. The plan is data driven, and the envisioned critical analysis that will be forthcoming will allow the Town and its partners to measure pathways towards reducing nitrogen migration, analyzing other corresponding nutrients and chemicals of emergency

concern that accompany nitrogen migration and thus devising strategies to reduce the flow of these toxic threats into our marine environment.

Cost estimates for providing sewers to Cape Cod are in the billions of dollars and still yet that solution is not final as many existing systems will never see connectivity to municipal sewer system. Unfortunately, the environment will not wait for us and expediency is critical. This application presents an expedient first step. The County, as administrator of the SRF Septic Loan Fund is poised to help financially to support this plan upon final regulatory approval. It is the best, most affordable plan before us all and we urge your support and endorsement.

Please do not hesitate to contact our office with any additional questions.

Sincerely,

A handwritten signature in blue ink that reads "Ronald J. Bergstrom". The signature is written in a cursive style with a large, stylized initial 'R'.

Ronald Bergstrom
Chair, Board of Regional Commissioners

BARNSTABLE COUNTY
In the Year Two Thousand Nineteen
Proposed Ordinance 20- __

To authorize the County to enter into a License Agreement with the Cape Cod Chapter of the New England Mountain Bike Association (NEMBA), on a portion of Barnstable County property near the intersection of Route 132/Phinneys Lane for a bicycle path

The Cape Cod Regional Government, known as Barnstable County, hereby ordains;

SECTION 1. Barnstable County is the owner of a certain parcel of real property located at 0 Phinneys Lane in the Town of Barnstable, Massachusetts as designated on Map/Block/Lot 274/016/X03, and whose sale to the County by the Commonwealth of Massachusetts on May 15, 1991 is recorded with the Barnstable County Registry of Deeds in Book 7523, Page 9

SECTION 2. The New England Mountain Bike Association (NEMBA) agrees to design and construct multi-use recreational trails within Barnstable County's Real Estate

SECTION 3. Section 2-8, Exercise of Powers, (d) Acts Required by Ordinance, (vii), of the Barnstable County Home Rule Charter requires that prior to the Board of Regional Commissioners entering into a License Agreement that such a License Agreement must be approved by Ordinance.

SECTION 4. The Barnstable County Assembly of Delegates hereby authorizes the Board of Regional Commissioners to enter into the License Agreement with NEMBA as more fully described in the License Agreement, attached and considered a part of this ordinance

Approved by the Board of County Commissioners on June 17, 2020


Ronald Bergstrom, Chair

MEMORANDUM OF UNDERSTANDING

Between Barnstable County and The New England Mountain Bike Association regarding a License for multi-use Recreational Trails

This Memorandum of Understanding (MOU) made this _____ day of _____, 2020 by and between the Cape Cod Regional Government hereinafter referred to as "Barnstable County", and the New England Mountain Bike Association, hereinafter referred to as NEMBA, a 501(c) 3 non-profit corporation organized under the laws of the State of Massachusetts and having a mailing address at PO Box 2221 Acton, MA 01720-6221.

Whereas, Barnstable County has determined that it is in the best interest of the public that multi-use recreational trails be constructed on Barnstable County property located in Hyannis, Town of Barnstable MA, as shown on the attached Plan marked Exhibit "A."

Whereas, NEMBA has the resources and expertise required to construct multi-use recreational trails.

Barnstable County and NEMBA hereby agree as follows:

1. NEMBA agrees to design and construct multi-use recreational trails within Barnstable County's property shown on Exhibit "A" attached hereto and incorporated by reference. Barnstable County agrees to grant NEMBA a License to design, construct, and manage multi-use recreational trails as depicted on Exhibit "A."
2. Prior to construction of said trails, NEMBA shall present the proposed trail layout to and obtain the approval of the Barnstable County Commissioners and Barnstable County Assembly of Delegates.
3. All trails will be available for use without charge to the general public and shall be used for non-motorized recreational purposes only.
- 4 NEMBA agrees to construct the trails using donated labor and materials. NEMBA shall provide liability insurance satisfactory to Barnstable County. All Contractors shall obtain Certificates of Insurance as required by Barnstable County and Barnstable County shall be an "Additional Insured" on all Insurance Policies required by the County. NEMBA agrees to enter into and execute a "Hold Harmless" Agreement indemnifying Barnstable County.

5. Barnstable County and NEMBA agree to work cooperatively in the resolution of any problems that may arise from use of the trails (erosion, litter, parking, camping, etc.)

6. This MOU shall annually renew unless either party provides written notice of its intent to terminate at least 60 days prior to the annual anniversary date of the MOU.

IN WITNESS WHEREOF, Barnstable County and NEMBA have executed this agreement as of the date set forth above.

Barnstable County

_____ By: _____

Witness

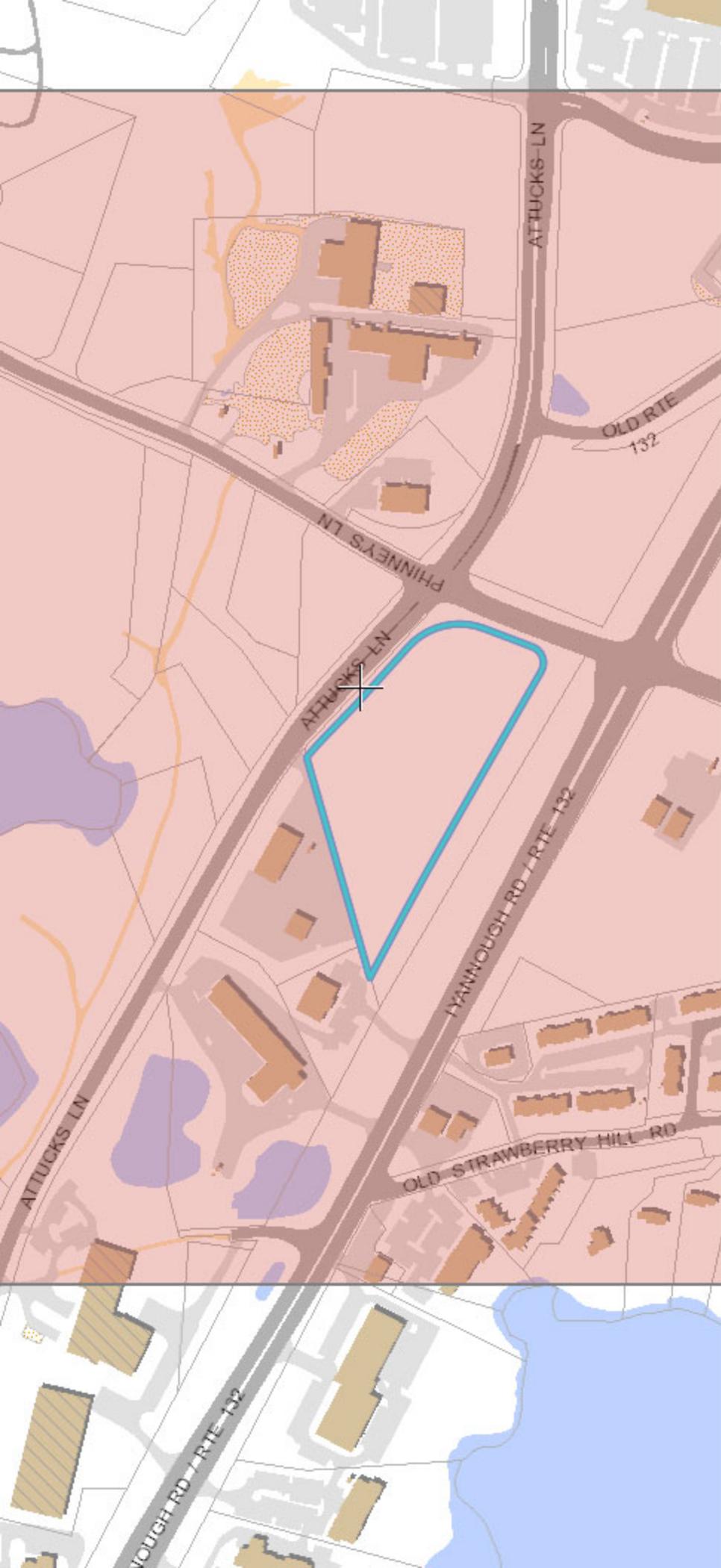
Title: _____
Duly Authorized

New England Mountain Bike Association

_____ By: _____

Witness

Title: _____
Duly Authorized



Owner Information

Map/Block/Lot: 274 / 016/ X03
Property Address
 0 PHINNEY'S LANE
Village: Barnstable
Town Sewer At Address: No
GIS Zoning Value: SPLIT RF-1;B
Owner Name as of 1/1/19:
 BARNSTABLE COUNTY COMMISSIONERS
 ROUTE 6A

BARNSTABLE, MA. 02630

Co-Owner Name
 SUPERIOR COURT HOUSE

Assessed Values

	Appraised Value	Assessed Value
Building Value	\$ 0	\$ 0
Extra Features	\$ 0	\$ 0
Outbuildings	\$ 0	\$ 0
Land Value	\$ 980,600	\$ 980,600
Totals	\$ 980,600	\$ 980,600

Past Comparisons

2019 - \$ 980,600
 2018 - \$ 980,600
 2017 - \$ 980,600
 2016 - \$ 980,600
 2015 - \$ 980,600
 2014 - \$ 980,600
 2013 - \$ 980,600
 2012 - \$ 1,961,100
 2011 - \$ 650,900
 2010 - \$ 650,900



Tax Information

Barnstable FD Tax (Commercial) \$ 0

Barnstable FD Tax (Residential) \$ 0

Town Tax (Commercial)	\$ 0
Town Tax (Residential)	\$ 0
	\$ 0

Sales History

Owner:	Sale Date	Book/Page:	Sale Price:
BARNSTABLE COUNTY COMMISSIONERS	1991-05-15	7523/ 9	\$0
MASSACHUSETTS, COMMWLTH OF		74/ 201	\$0

Photos



Sketches

A sketch is not available for this parcel.

AsBuilt Card N/A

B2N Barn-any 2nd story area	FPC Open Porch Concrete Floor	REF Reference Only
BAS First Floor, Living Area	FTS Third Story Living Area (Finished)	SOL Solarium
BMT Basement Area (Unfinished)	FUS Second Story Living Area (Finished)	SPE Pool Enclosure
BRN Barn	GAR Garage	TQS Three Quarters Story (Finished)
CAN Canopy	GAZ Gazebo	UAT Attic Area (Unfinished)
CLP Loading Platform	GRN Greenhouse	UHS Half Story (Unfinished)
FAT Attic Area (Finished)	GXT Garage Extension Front	UST Utility Area (Unfinished)
FCP Carport	KEN Kennel	UTQ Three Quarters Story (Unfinished)
FEP Enclosed Porch	MZ1 Mezzanine, Unfinished	UUA Unfinished Utility Attic
FHS Half Story (Finished)	PRG Pergola	UUS Full Upper 2nd Story (Unfinished)
FOP Open or Screened in Porch	PRT Portico	WDK Wood Deck
	PTO Patio	

Construction Details

Land

USE CODE 9910

Lot Size (Acres)	5.03
Appraised Value	\$ 980,600
Assessed Value	\$ 980,600

Construction details are not available for this parcel.

[Outbuildings and Extra Features](#)

There are not any extra building features on record at this time.

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to authorize the creation of a full-time, fully grant-funded, Microbiologist position, through June 30, 2021 for the Massachusetts Alternative Septic System Test Center (MASSTC), in the Health and Environment Department, as recommended by the County Hiring Committee, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk



BARNSTABLE COUNTY JOB DESCRIPTION

Title: Microbiologist	Classification: Barnstable County
Department: Health and Environment	Grade: SPT 5
Reports to: MASSTC Director	FLSA Status: Non-Exempt
Effective Date: August 2020	Union Status: Non-represented

Summary

Professional, scientific, and technical work conducting microbiological analyses in accordance with State and laboratory standard operating procedures; all other related work as required.

Supervision

Works under the supervision of the Massachusetts Alternative Septic System Test Center Director. Performs varied responsible professional, scientific, and technical duties requiring considerable judgment in conducting analysis and adhering to standard methods and accepted practice.

Work is performed independently, with specific assignments given; all results are subject to review and unusual cases are discussed with supervisor.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Performs bacteriological and virological analysis of wastewater samples; analyses are conducted in accordance with laboratory standard operating procedures, state certification requirements, and standard methods; confirms interprets and records results.

Prepares all media buffers and reagents required in analyses; maintains quality control of analyses, as detailed by the state Department of Environmental Protection, Standard Methods, and accepted practice.

Compiles and maintains current all Standard Operating Procedure (SOPs) and Quality Assurance Plans for microbiological analyses.

Procures and conducts analysis of all Proficiency Samples to maintain laboratory certifications for microbiological parameters.

Remains current in environmental microbiological techniques.

Occasionally takes field samples from sites at MASSTC.



BARNSTABLE COUNTY JOB DESCRIPTION

Enters data into computer software spreadsheets or other computer assisted means to post on the Department's website.

Calculates and reports sample results; maintains data log book (sample, media preparation, positive and negative controls), orders and maintains inventory of appropriate microbiological supplies and standards.

Acts as principal resource regarding microbiology for the laboratory; completes all analyses in accordance with safety plan.

Records data results; maintains required reports, statistics and quality control data in accordance with State and federal laws and applicable standard operating procedures.

Performs similar or related work as required, directed, or situation dictates.

Recommended Minimum Qualifications

Education and Experience

Bachelor's Degree in biology, chemistry or closely related field required; some educational course in microbiology; one to three years of laboratory experience or an equivalent combination of education and experience.

Knowledge: Knowledge of microbiology and chemistry. Knowledge and understanding of analytical methods.

Ability: Ability to operate and maintain laboratory equipment and monitor results. Ability to communicate effectively both orally and in writing.

Skill: Skill in performing and analyzing any and all related tests conducted by the laboratory.

Required Licensing/Certification:

A valid U.S. Driver's License

Job Environment

Work is generally performed in an office or laboratory setting with risk of loud noise from equipment; may have some risk of exposure to laboratory hazards daily (e.g. carcinogens, explosives, flammables, caustics and corrosives); work is generally stable, but there are often fluctuations based on specific projects or seasonal demand; may be required to work evening and weekends.

Operates computers, standard office machines, hand tools and laboratory equipment including balances, autoclaves, and other analytical devices. Uses various prepared diagnostic tests with associated incubation devices.



BARNSTABLE COUNTY JOB DESCRIPTION

Errors could result in injury to self and others and damage to facilities, loss of revenue and impacting of the public trust. Internal procedures are not always able to detect errors in test results.

Physical Requirements

The physical demands described are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Minimum physical effort generally required in performing duties under typical office conditions. Position requires the use of hands almost continuously; may be required to lift objects weighing up to 40 pounds, such as water samples, coolers, and instruments. The employee is frequently required to stand, sit, talk and listen.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Equal Opportunity/Americans with Disabilities Act Employer

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to ratify the creation and emergency hire of new COVID-19 Code Enforcement Inspector positions, providing comprehensive COVID-19 related public health and environmental services during summer months in Barnstable County, as requested by the County Health and Environment Department Director, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk



BARNSTABLE COUNTY JOB DESCRIPTION

Title: COVID19 Code Enforcement Inspector	Classification: Barnstable County
Department: Health and Environment	Grade: N/A \$25.00 per hour plus mileage
Reports to: Public Health Sanitarian/Environmental Specialist	FLSA Status: Non-Exempt
Effective Date: July 2020	Union Status: Non-represented

Summary

Professional, technical, and administrative work providing comprehensive, COVID19 related, public health and environmental services during summer months on Cape Cod; all other related work, as required.

Supervision

Works under the administrative direction of the Public Health Sanitarian/Environmental Specialist.

Performs varied responsible professional and technical duties requiring reasonable judgment in the evaluation of public health and environmental health concerns and providing technical support to local boards of health.

Work is performed independently, but employees are required to provide daily reports to the senior staff supervisor through telephone calls or office visits.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Conducts sanitary code inspections of restaurants, markets, public or semi-public swimming pools, and housing according to the appropriate Federal, Massachusetts, or local regulation. Educates license holders or consumers of policies or requirements of these regulations. May conduct inspections of licensed summer recreational camps according to applicable regulation.

Assists local Boards of Health with the evaluation of restaurants, beaches, swimming pools, retail establishments and other facilities and establishments with COVID-19 policies from the Commonwealth of Massachusetts.

Educates Residents and visitor about COVID -19 protection including personal protection use, social distancing, hand washing and stay at home illness policies.



BARNSTABLE COUNTY JOB DESCRIPTION

Writes monthly status reports, files and records inspection reports, may attend meetings of local boards of health; may assist in data management of departmental programs, and may assist senior staff with report preparation.

Performs other similar or related duties as required, or as situation dictates.

Recommended Minimum Qualifications

Education and Experience

Associate degree in public health, health sciences or related field required; at least 2 years' experience with code enforcement, additional experience in specialty areas may be advantageous; or an equivalent combination of education and experience.

Knowledge Thorough knowledge of public and environmental health laws, rules and regulations. Knowledge of inspection and enforcement processes. Knowledge of the sanitary code, housing code, and restaurant code is essential. Must be willing to become familiar with Covid19 related regulations

Ability: Ability to interact well with professionals and the general public. Ability to communicate effectively both orally and in writing. Ability to use a computer.

Skill: Excellent oral and written communication skills.

Required Licensing/Certification: A valid U.S. Driver's License

Job Environment

The position is needed for the summer months and is performed outside the office up to three-quarters of the time. There is exposure to outdoor weather conditions and there is a small risk of exposure to noxious fumes and loud noises, and to pathogenic substances; some work is conducted in a typical office setting; occasional weekend work is also required. Work is generally stable; some work demands may require immediate attention; demands for services may be unpredictable. Travel across Cape Cod towns with reliable transportation is necessary.

Operates computer, standard office machines, hand tools, light equipment, light truck and automobile. May use equipment, such as water sampling equipment, dissolved oxygen meter, conductivity meter pH and temperature meters, food service monitoring equipment and swimming pool test kits.

Makes frequent contact with local health officials, the public, and may have contact with state and federal regulatory officials; contact is usually in person or by telephone.

Errors could result in delay or loss of program services, or adversely affect public and environmental health.



BARNSTABLE COUNTY JOB DESCRIPTION

Physical Requirements

The physical demands described are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Moderate physical effort required when performing field work with constant exposure to outdoor weather conditions; may have to walk and climb in rough terrain; constantly required to walk, talk, listen and hear. Minimal physical effort required to perform office duties; may occasionally be required to lift up to 30 pounds. Must be able to drive to various locations to conduct inspections and attend meetings.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Equal Opportunity/Americans with Disabilities Act Employer

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to ratify an emergency hire for the fully grant funded, vacant part-time Tobacco Control Health Educator/Inspector position, providing comprehensive tobacco regulation guidance and education to local retailers and municipalities served by the Cape Cod Regional Tobacco Control Program (CCRTCP), as requested by the County Health and Environment Department Director, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk



BARNSTABLE COUNTY JOB DESCRIPTION

Title: Tobacco Control Health Educator/Inspector	Classification: Barnstable County
Department: Health and Environment	Grade: N/A \$25 per hour
Reports to: CCRTCP Director	FLSA Status: Non-Exempt
Effective Date: July 1, 2020	Union Status: Non-represented

Summary

Professional Health Education and Inspectional work providing comprehensive tobacco regulation guidance and education to local retailers and municipalities served by the Cape Cod Regional Tobacco Control Program (CCRTCP), all other related work, as required.

Supervision

Works under the administrative direction of the CCRTCP Director.

Work is performed independently, with occasional direction from supervisor on special projects through regular meetings. Unusual situations or situations requiring education or enforcement decisions are discussed with the supervisor.

Performs varied responsible, technical duties requiring independent judgment in the evaluation of Tobacco Control concerns.

Trains, supervises and educates youth buyers during compliance check operations.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Develops positive relationships with local retailers and carries out tasks as considered necessary for the advancement of Tobacco Control mission goals and objectives.

Provides technical support and facilitates logistical support to local Boards of Health. Documents detailed data and findings gathered during required duties in a timely manner.

Conducts inspections and merchant education for tobacco retail establishments with all municipalities served by the CCRTCP, to assure compliance with all local, state and federal regulations and laws pertaining to the sale and use of nicotine delivery products. Records detailed findings in the Massachusetts Tobacco Control Program (MTCP) data collection system.

Conducts retailer compliance checks of all tobacco retail establishments within the CCRTCP service to assess the frequency of illegal sales to minors. Reports findings to local municipalities as appropriate. Records detailed findings in the MTCP data collections system.

Meets with CCRTCP director at least weekly to discuss work plans and findings.
Attends various meetings and trainings both statewide and town wide to support efforts in tobacco control.



BARNSTABLE COUNTY JOB DESCRIPTION

Performs similar or related work as required, directed or the situation dictates.

Recommended Minimum Qualifications

Education and Experience

Bachelor of Science Degree in environmental health, environmental science, public health or related field; two to four years of experience providing public health/inspectional or tobacco control services; additional experience in health education may be advantageous; or an equivalent combination of education and experience.

Certifications

Valid driver's license required.

Knowledge Broad knowledge of local, state of Massachusetts and federal tobacco and nicotine delivery product laws is required. Geographical knowledge of the CCRTCP service area is advantageous. The Tobacco Control Health Educator/Inspector should also have knowledge of cultural diversity and sensitivity. Knowledge and experience in conflict resolution is most helpful.

Ability Ability to provide constructive feedback to tobacco retailers while maintaining a balance of education and enforcement of tobacco control laws. Ability to communicate effectively with local health officials regarding results of retail inspections and interactions with local tobacco retailers. Ability to utilize the data reporting system utilized by the MTCP to record all tobacco control findings statewide. Ability to complete tasks and assignments in a timely and efficient manner.

Skill: Strong customer relations as well as demonstrated analytical skills, excellent oral and written communication skills.

Job Environment

The majority of work is performed outside of the office with exposure to outdoor weather conditions and with risk of rare but potential conflict with retailers. Some work is conducted in a typical office setting; occasional evening meetings may also be required. Employee may be expected to be available on weekends, depending on compliance check schedules and requirements. Operates standard office machines, computer tablet and automobile.

Maintains frequent contact with Program Director and local health officials, usually by telephone or e-mail and in person regarding tobacco control issues.

Physical Requirements

The physical demands described are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



BARNSTABLE COUNTY JOB DESCRIPTION

Minimal physical effort required; must be able to walk, listen and use a computer keyboard with sufficient speed; required to talk, listen and stand sometimes for extended periods of time; occasionally required to lift objects weighing up to 40 pounds.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Equal Opportunity/Americans with Disabilities Act Employer



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



May 20, 2020

Massachusetts Department of Transportation
Highway Division
Right of Way Bureau (Rm. 6160)
10 Park Plaza
Boston, MA 02116-3969

Ronald R. Beaty, Commissioner
Commissioners' Office
P.O. Box 427, 3195 Main Street
Barnstable, MA 02630

Re: Bourne
Layout: 8699 (Alteration)
Dated: March 25, 2020
Prcl(s) 17-2, 17-5, 17-6, 17-8, 17-9, 17-10, 17-11, 17-E-1, 17-E-1-T, 17-PUE-3, 17-PUE-4, ETC.

Dear Mr. Beaty:

Acting under the provisions of Chapter 6C and Chapter 81, Section 7c of the General Laws, on March 25, 2020 the Massachusetts Department of Transportation-Highway Division altered the location of a section(s) of State highway in Bourne.

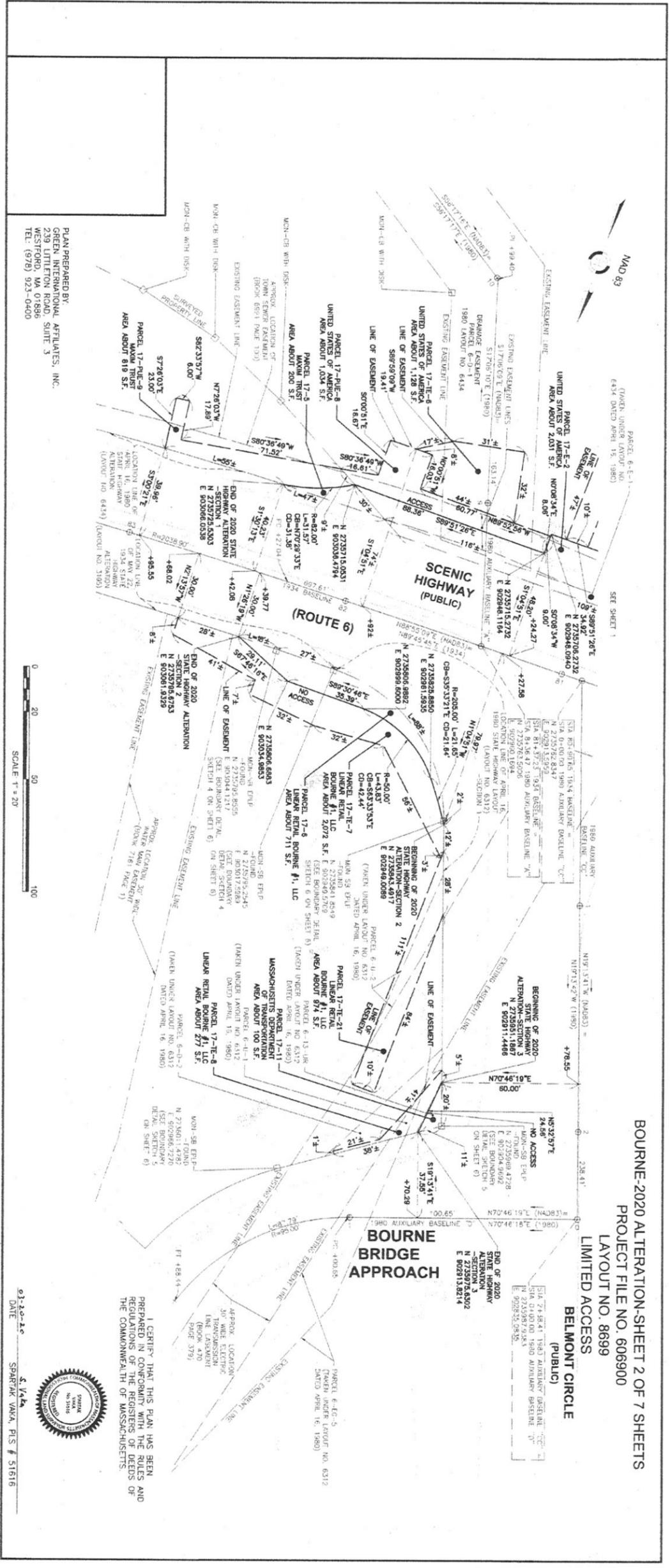
A copy of a plan bearing a certificate that the Highway Division has altered the location laid out of said State highway in accordance with said plan, and a written instrument, is enclosed herewith for filing in your office in accordance with the statute referenced above.

Please sign the enclosed form of receipt and return it to the above address as soon as possible. If you have any questions regarding this matter, please contact the Right of Way Bureau at (857) 368-9218.

Sincerely,

Walter H. Lynch
Deputy Director, Right of Way Bureau

WHL/dd
Enclosures



PLAN PREPARED BY:
 GREEN INTERNATIONAL AFFILIATES, INC.
 239 LITTLETON ROAD, SUITE 3
 WESTFORD, MA 01886
 TEL: (978) 923-0400

DATE: 6/14/20
 SURVEYOR: SPARK VAKA, PLS # 51616



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

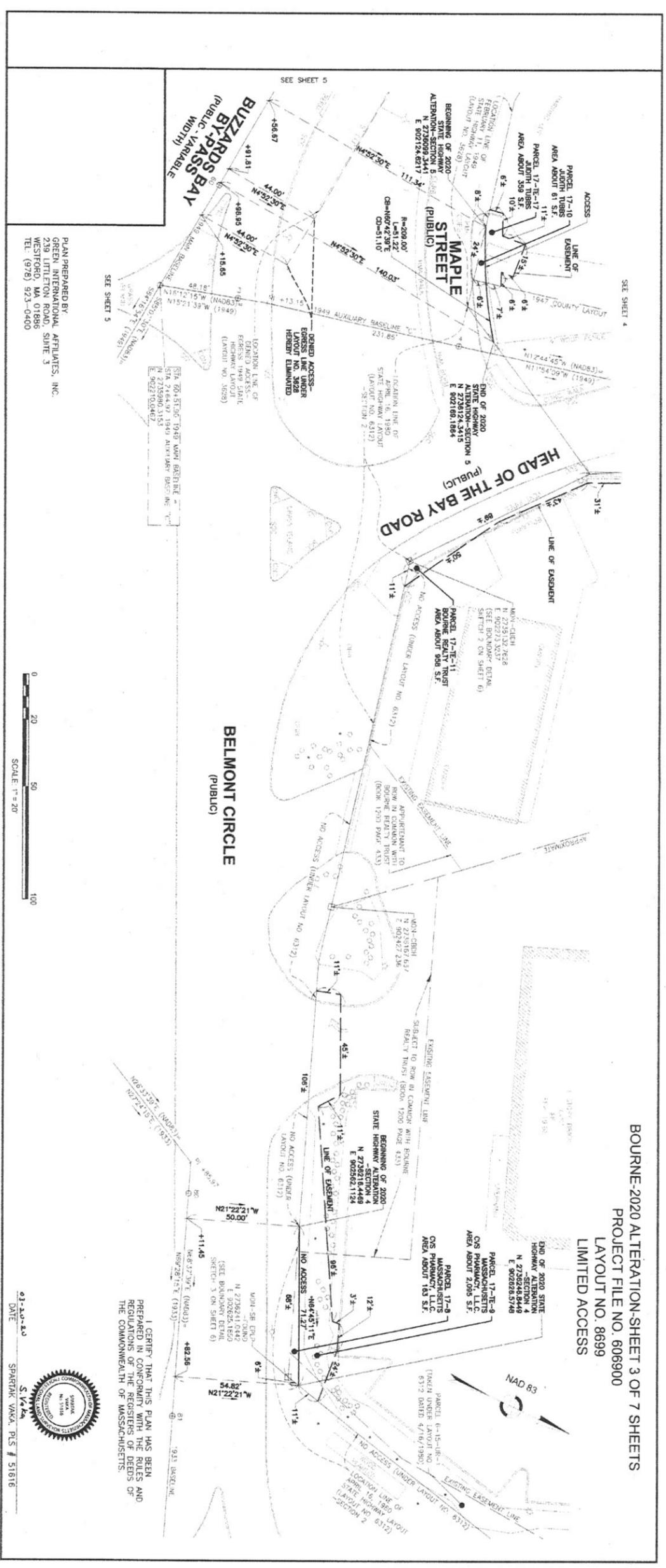
BOURNE-2020 ALTERATION-SHEET 2 OF 7 SHEETS
 PROJECT FILE NO. 606900
 LAYOUT NO. 8699
BELMONT CIRCLE
 (PUBLIC)

BOURNE-2020 ALTERATION-SHEET 3 OF 7 SHEETS

PROJECT FILE NO. 606900

LAYOUT NO. 8699

LIMITED ACCESS



PLAN PREPARED BY:
 GREEN INTERNATIONAL AFFILIATES, INC.
 239 LITTLETON ROAD, SUITE 3
 WESTFORD, MA 01886
 TEL: (978) 923-0400

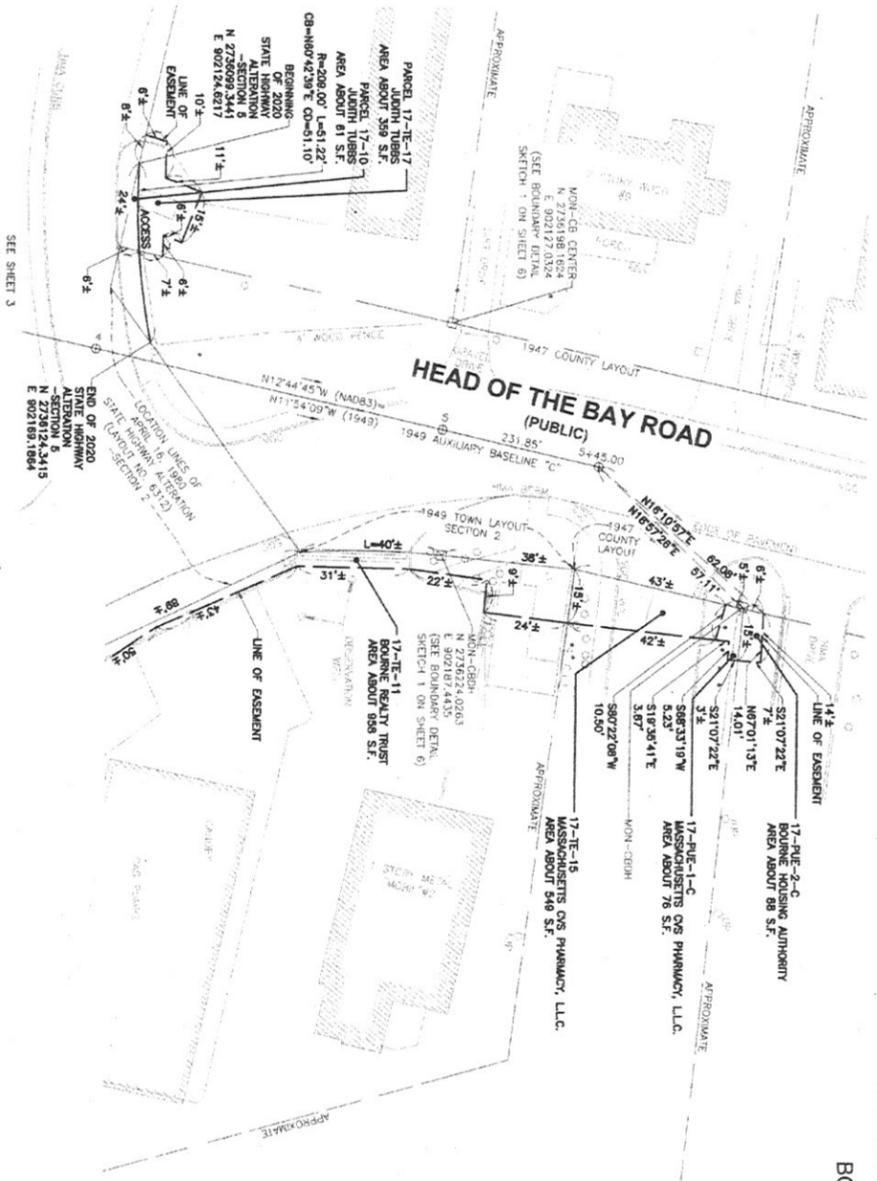


DATE: 03-10-20
 S.W.M.
 SPARK VMA, PLS # 51816



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PLAN PREPARED BY:
 GREEN INTERNATIONAL AFFILIATES, INC.
 239 LITTLETON ROAD, SUITE 3
 WESTFORD, MA 01886
 TEL: (978) 923-0400

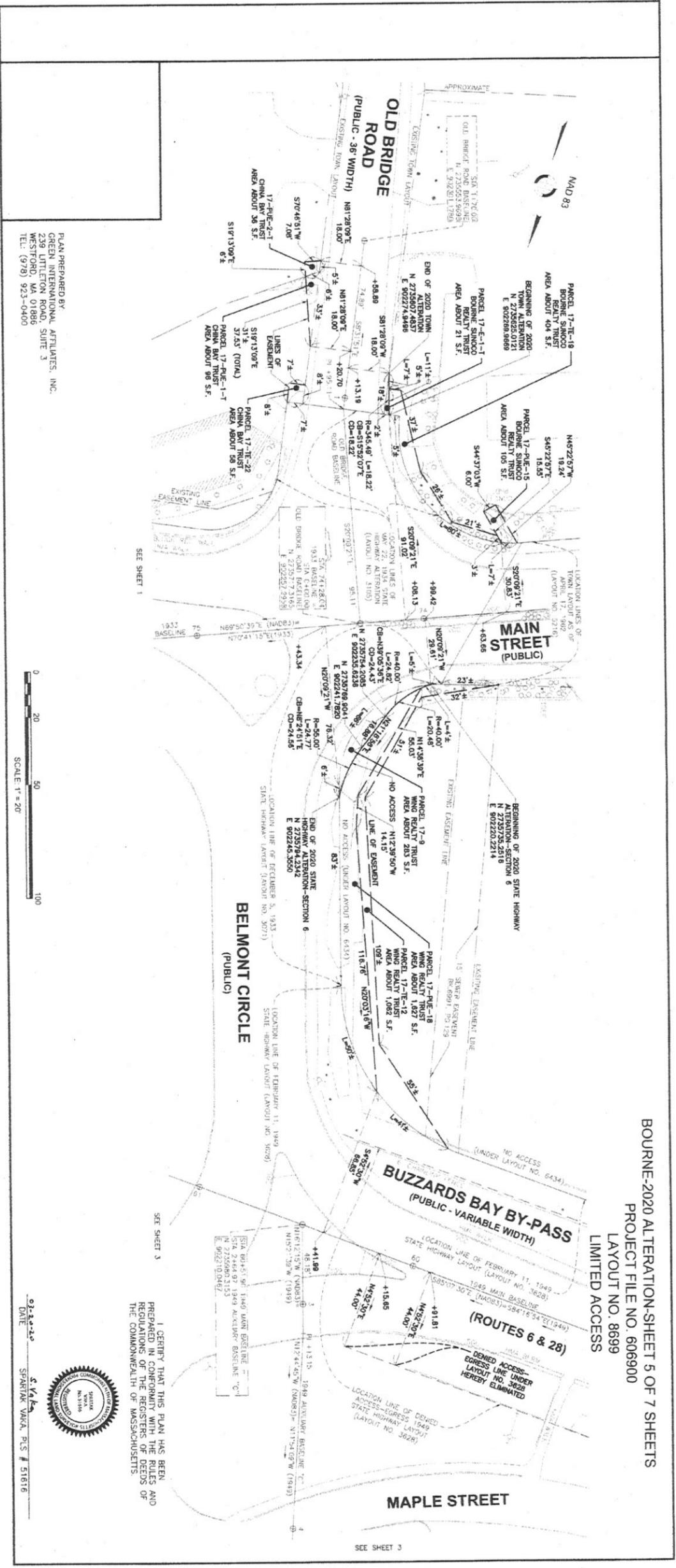


BOURNE-2020 ALTERATION-SHEET 4 OF 7 SHEETS
 PROJECT FILE NO. 606900
 LAYOUT NO. 8699
 LIMITED ACCESS

01.20.20
 DATE
 S. V. LA
 SPARTAN, VAKA, PLS # 51616



I CERTIFY THAT THIS PLAN HAS BEEN
 PREPARED IN CONFORMANCE WITH THE RULES AND
 REGULATIONS OF THE REGISTER OF DEEDS OF
 THE COMMONWEALTH OF MASSACHUSETTS.



BOURNE-2020 ALTERATION SHEET 5 OF 7 SHEETS

PROJECT FILE NO. 606900
LAYOUT NO. 8699

LIMITED ACCESS

PLAN PREPARED BY
GREEN INTERNATIONAL AFFILIATES, INC.
239 LITTLETON ROAD, SUITE 3
WESTFORD, MA 01886
TEL: (978) 923-0400

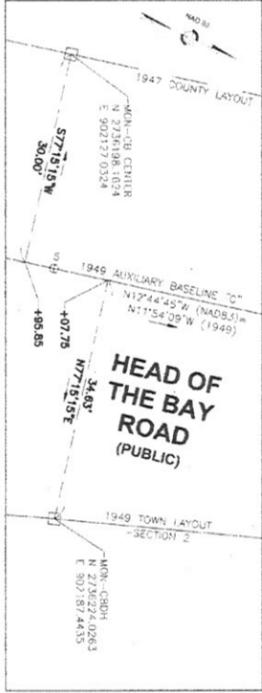


03-20-20 DATE
S.V.A. SPARTAK VAKA, P.C. # 51616



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

BOURNE-2020 ALTERATION-SHEET 6 OF 7 SHEETS
 PROJECT FILE NO. 606900
 LAYOUT NO. 8699
 LIMITED ACCESS
 BOUNDARY DETAIL SHEET



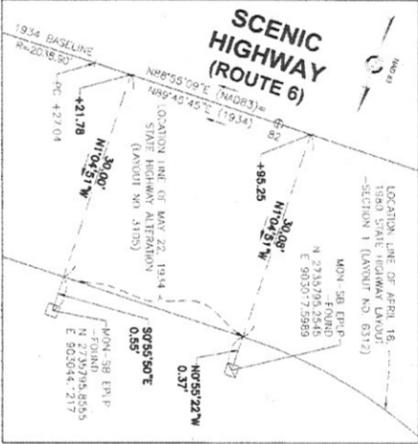
BOUNDARY DETAIL SKETCH 1
NOT TO SCALE



BOUNDARY DETAIL SKETCH 2
NOT TO SCALE



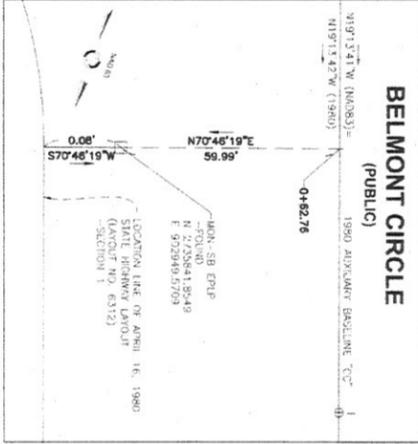
BOUNDARY DETAIL SKETCH 3
NOT TO SCALE



BOUNDARY DETAIL SKETCH 4
NOT TO SCALE



BOUNDARY DETAIL SKETCH 5
NOT TO SCALE



BOUNDARY DETAIL SKETCH 6
NOT TO SCALE

PLAN PREPARED BY:
 GREEN INTERNATIONAL AFFILIATES, INC.
 239 LITTLETON ROAD, SUITE 3
 WESTFORD, VA 01886
 TEL: (978) 923-0400

I CERTIFY THAT THIS PLAN HAS BEEN
 PREPARED IN CONFORMITY WITH THE RULES AND
 REGULATIONS OF THE REGISTERS OF DEEDS OF
 THE COMMONWEALTH OF MASSACHUSETTS.

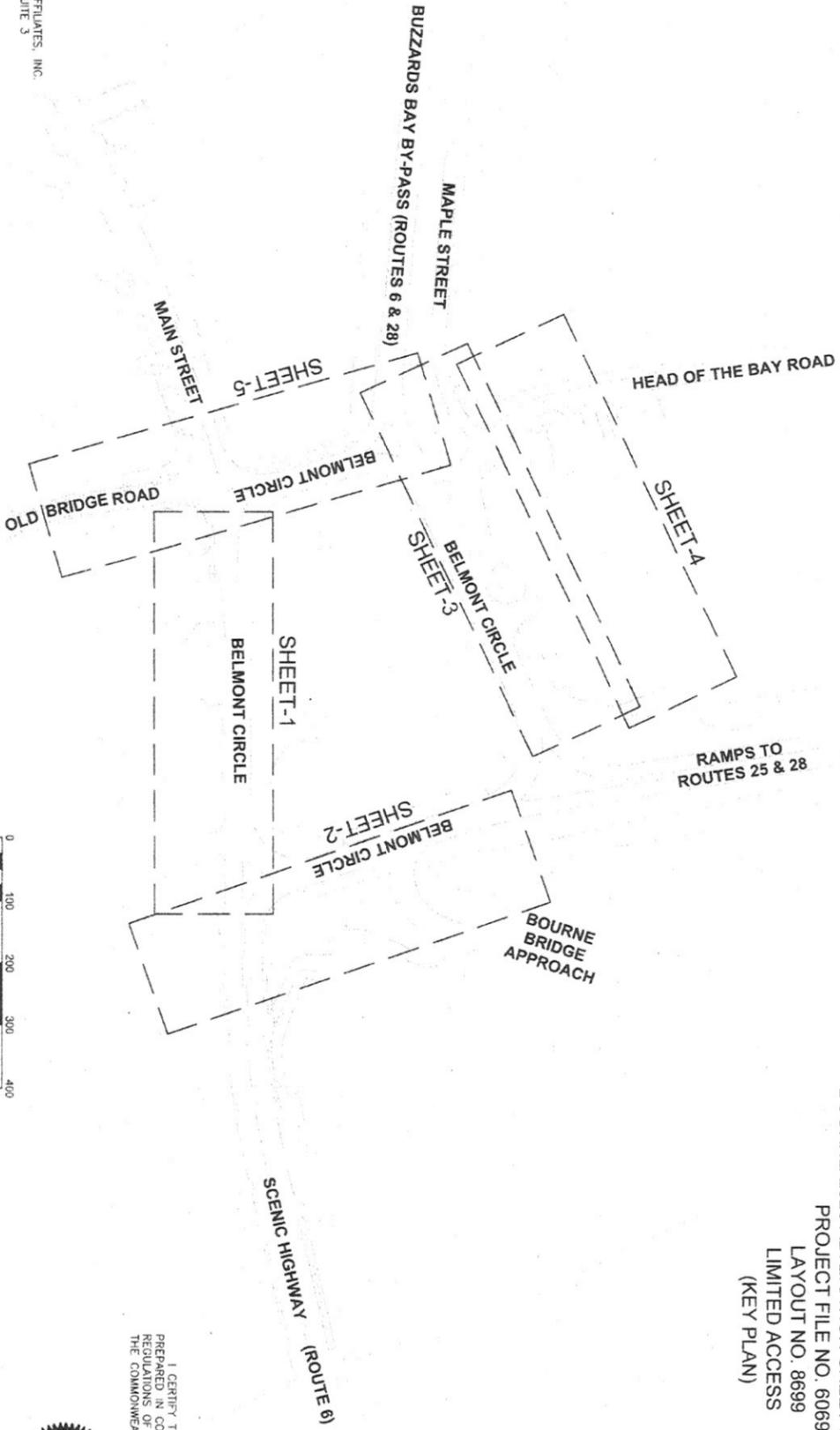


DATE 03-20-20 S. Park VAKA, PLS # 51616

NAD 83



PLAN PREPARED BY
GREEN INTERNATIONAL AFFILIATES, INC.
239 LITTLETON ROAD, SUITE 3
WESTFORD, MA 01586
TEL. (978) 923-0400



BOURNE-2020 ALTERATION-SHEET 7 OF 7 SHEETS
 PROJECT FILE NO. 606900
 LAYOUT NO. 8699
 LIMITED ACCESS
 (KEY PLAN)

I CERTIFY THAT THIS PLAN HAS BEEN
 PREPARED IN CONFORMITY WITH THE RULES AND
 REGULATIONS OF THE REGISTER OF DEEDS OF
 THE COMMONWEALTH OF MASSACHUSETTS.



03.10.2024 DATE
 S. V. YAKA
 SPARTAN YAKA, P.E. # 51616



Department of Justice (DOJ)

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 5, 2020

Mr. John Yunits Jr.
County of Barnstable
3195 Main Street
Barnstable, MA 02630-1105

Dear Mr. Yunits:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by County of Barnstable for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$58,008. These funds are for the project entitled Covid-19: Response and Prevention Efforts for First Responders and the Public on Cape Cod.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should County of Barnstable accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Zafra Stork, Program Manager at (202) 598-1483; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan".

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

Washington, DC 20531

June 5, 2020

Mr. John T. Yunits Jr.
County of Barnstable
3195 Main Street
Barnstable, MA 02630-1105

Dear Mr. Yunits:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink that reads "Michael L. Alston".

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) County of Barnstable 3195 Main Street Barnstable, MA 02630-1105		4. AWARD NUMBER: 2020-VD-BX-1652	
2a. GRANTEE IRS/VENDOR NO. 046001519		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
2b. GRANTEE DUNS NO. 076612407		6. AWARD DATE 06/05/2020	7. ACTION Initial
3. PROJECT TITLE Covid-19: Response and Prevention Efforts for First Responders and the Public on Cape Cod		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 58,008	
		11. TOTAL AWARD \$ 58,008	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
[REDACTED] AGENCY APPROVAL [REDACTED]		[REDACTED] GRANTEE ACCEPTANCE [REDACTED]	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL John T. Yunits County Administrator	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 6/17/2020
[REDACTED] AGENCY USE ONLY [REDACTED]			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. OFC. DIV. REG. SUB. POMS AMOUNT X B VD 80 00 00 58008		21. VVDUGT1577	



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SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



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2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



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5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



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8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



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9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



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any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

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

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

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

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



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13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



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14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

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

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

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

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



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19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



Department of Justice (DOJ)
Office of Justice Programs
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**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2020-VD-BX-1652

AWARD DATE 06/05/2020

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

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

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

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



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**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2020-VD-BX-1652

AWARD DATE 06/05/2020

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



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AWARD DATE 06/05/2020

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



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**AWARD CONTINUATION
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SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File
From: Orbin Terry, NEPA Coordinator
Subject: Categorical Exclusion for County of Barnstable

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER
2020-VD-BX-1652

PAGE 1 OF 1

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Zafra Stork
(202) 598-1483

2. PROJECT DIRECTOR (Name, address & telephone number)

Phil Burt
Director
3195 Main Street
Barnstable, MA 02630-1105
(508) 375-6902

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Covid-19: Response and Prevention Efforts for First Responders and the Public on Cape Cod

5. NAME & ADDRESS OF GRANTEE

County of Barnstable
3195 Main Street
Barnstable, MA 02630-1105

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

\$ 58,008

10. DATE OF AWARD

06/05/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to authorize the execution of an agreement for a grant from the United States Department of Justice, Office of Justice Programs, in the amount of \$58,008.00 to the County's Cape Cod Center for Public Safety Training, for the project entitled COVID-19: Response and Prevention Efforts for First Responders and the Public on Cape Cod, for a period from June 5, 2020 through January 31, 2022, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2019


Barnstable County Regional Clerk





U.S. Department of Housing and Urban Development
Office of Community Planning and Development
Thomas P. O'Neill Federal Bldg.
10 Causeway Street
Boston, MA 02222

Grant Number: Multiple Projects
Tax ID Number: 04-6001419
DUNS Number: 076612407

CONTINUUM OF CARE PROGRAM (CDFA# 14.267)
GRANT AGREEMENT

This Grant Agreement (“this Agreement”) is made by and between the United States Department of Housing and Urban Development (“HUD”) and Barnstable County (the “Recipient”).

This Agreement is governed by title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the “Act”); the Continuum of Care Program rule (the “Rule”), as amended from time to time; and the Notice of Funds Availability for the fiscal year competition in which the funds were awarded.

The terms “Grant” or “Grant Funds” mean the funds that are provided under this Agreement. The term “Application” means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, technical submission documents, and any information or documentation required to meet any grant award condition. All other terms shall have the meanings given in the Rule.

The Application is incorporated herein as part of this Agreement, except that only the project (those projects) listed below are funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control.

HUD’s total funding obligation for this grant is \$152,648, allocated between the projects listed below and, within those projects, between budget line items, as shown below.

Project No.	Grant Term	Performance Period	Total Amount
MA0092L1T031912	12 months	07-01-2020 - 06-30-2021	\$67,356
a. Continuum of Care planning activities			\$0
Acquisition			\$0
b. Rehabilitation			\$0
c. New construction			\$0
d. Leasing			\$0
e. Rental assistance			\$0
f. Supportive services			\$0
g. Operating costs			\$0
h. Homeless Management Information System			\$61,233
i. Administrative costs			\$6,123
j. Relocation Costs			\$0
HPC homelessness prevention activities:			
Housing relocation and stabilization services			\$0
Short-term and medium-term rental assistance			\$ 0

Project No.	Grant Term	Performance Period	Total Amount
MA0557L1T031903	12 months	11-01-2020 - 10-31-2021	\$85,292
a. Continuum of Care planning activities			\$0
Acquisition			\$0
b. Rehabilitation			\$0
c. New construction			\$0
d. Leasing			\$0
e. Rental assistance			\$0
f. Supportive services			\$77,538
g. Operating costs			\$0
h. Homeless Management Information System			\$0
i. Administrative costs			\$7,754
j. Relocation Costs			\$0
HPC homelessness prevention activities:			
Housing relocation and stabilization services			\$0
Short-term and medium-term rental assistance			\$ 0

If any new projects funded under this Agreement are for project-based rental assistance for a term of fifteen (15) years, the funding provided under this Agreement is for the performance period stated herein only. Additional funding is subject to the availability of annual appropriations.

The performance period of renewal projects funded by this Agreement will begin immediately at the end of the performance period under the grant agreement being renewed. Eligible costs incurred between the end of Recipient's final operating year under the grant agreement being renewed and the date of this Agreement is executed by both parties may be reimbursed with funds from the first operating year of this Agreement. No funds for renewal projects may be drawn down by Recipient before the end date of the project's final operating year under the grant that has been renewed.

For any transition project funded under this Agreement the performance period of the transition project(s) will begin immediately at the end of the Recipient's final operating year under the grant being transitioned. Eligible costs, as defined by the Act and the Rule incurred between the end of Recipient's final operating year under the grant being renewed and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

HUD designations of Continuums of Care as High-performing Communities (HPCS) are published in the HUD Exchange in the appropriate Fiscal Years' CoC Program Competition Funding Availability page. Notwithstanding anything to the contrary in the Application or this Agreement, Recipient may only use grant funds for HPC Homelessness Prevention Activities if the Continuum that designated the Recipient to apply for the grant was designated an HPC for the applicable fiscal year.

The Recipient must complete the attached "Indirect Cost Rate Schedule" and return it to HUD with this Agreement. The Recipient must provide HUD with a revised schedule when any change is made to the rate(s) included in the schedule. The schedule and any revisions HUD receives from the Recipient will be incorporated into and made part of this Agreement, provided that each rate included satisfies the applicable requirements under 2 CFR part 200 (including appendices).

This Agreement shall remain in effect until the earlier of 1) written agreement by the parties; 2) by HUD alone, acting under the authority of 24 CFR 578.107; 3) upon expiration of the performance periods for all projects funded under this Agreement; or 4) upon the expiration of the period of availability of funds for all projects funded under this Agreement.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless the Recipient changes the address and key contacts in e-snaps. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Agreement constitutes the entire agreement between the parties, and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

**UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development**

By:



(Signature)

Robert Shumeyko, Director

(Typed Name and Title)

June 1, 2020

(Date)

RECIPIENT

Barnstable County

(Name of Organization)

By:



(Signature of Authorized Official)

~~Jack Yunits, Administrator~~ Ronald Bergstrom, County Commission Chairman

(Typed Name and Title of Authorized Official)

6/17/2020

(Date)

Indirect Cost Schedule

Agency/Dept./Major Function	Indirect Cost Rate	Direct Cost Base

This schedule must include each indirect cost rate that will be used to calculate the Recipient’s indirect costs under the grant. The schedule must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elects to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR §200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Base Allocation Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.

To learn more about the indirect cost requirements, see 24 CFR 578.63; 2 CFR part 200, subpart E; Appendix IV to Part 200 (for nonprofit organizations); and Appendix VII to Part 200 (for state and local governments).

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to authorize the execution of an agreement for a renewal grant, in the amount of \$152,648.00, from the United States Department of Housing and Urban Development (HUD) to the County Human Services Department, for Continuum of Care (CoC) Homeless Management Information Systems (HMIS) & Coordinated Entry Systems (CES) Projects, for a period from July 1, 2020 through October 31, 2021, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk

GRANT COOPERATIVE AGREEMENT

AMENDMENT TO FINANCIAL ASSISTANCE AWARD

FEDERAL AWARD ID NUMBER
ED18PHI3020012

CFDA NO. AND NAME
11.302 Planning

PROJECT TITLE
Cape Cod Commission EDA Partnership Planning Grant - July 2018 - June 2021

RECIPIENT NAME BARNSTABLE, COUNTY OF	AMENDMENT NUMBER 2
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STREET ADDRESS 3195 MAIN ST	EFFECTIVE DATE 07/01/2020
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CITY, STATE, ZIP CODE BARNSTABLE MA 02630-1105	EXTEND PERIOD OF PERFORMANCE TO (IF APPLICABLE) 06/30/2021
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COSTS ARE REVISED AS FOLLOWS:	PREVIOUS ESTIMATED COST	ADD	DEDUCT	TOTAL ESTIMATED COST
FEDERAL SHARE OF COST	\$ 140,000.00	\$ 70,000.00	\$ 0.00	\$ 210,000.00
RECIPIENT SHARE OF COST	\$ 140,000.00	\$ 70,000.00	\$ 0.00	\$ 210,000.00
TOTAL ESTIMATED COST	\$ 280,000.00	\$ 140,000.00	\$ 0.00	\$ 420,000.00

REASON(S) FOR AMENDMENT.

This Amendment Document (Form CD-451) signed by the Grants Officer constitutes an Amendment of the above-referenced Award, which may include an obligation of Federal funding. By signing this Form CD-451, the Recipient agrees to comply with the Amendment provisions checked below and attached, as well as previous provisions incorporated into the Award. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally withdraw this Amendment offer and de-obligate any associated funds.

SPECIFIC AWARD CONDITION(S)

LINE ITEM BUDGET

OTHER(S): _____

SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER Linda Cruz-Carnall	DATE 05/22/2020
PRINTED NAME, PRINTED TITLE, AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL Ronald Bergstrom, Chair, Barnstable County Board of Commissioners	DATE 6/17/2020

SPECIAL AWARD CONDITIONS
U.S. DEPARTMENT OF COMMERCE
Economic Development Administration (EDA)

NON-CONSTRUCTION PROJECTS: Partnership Planning Assistance Program under
Section 203 of the Public Works and Economic Development Act of 1965, as amended
(42 U.S.C. § 3143) PWEDA

Project Title: Support for Planning Organizations

Recipient Name: Barnstable County acting through the
Cape Cod Commission, Massachusetts

Award Number:
ED18PHI3020012

1. This EDA Award supports the work described in the approved final scope of work, which is incorporated by reference into this Award, as the *Authorized Scope of Work* (Attachment 1). All work on this project should be consistent with this *Authorized Scope of Work*, unless the Grants Officer has authorized a modification of the scope of work in writing through an amendment memorialized through execution of a Form CD-451.

2. The Recipient Contact's name, title, address, and telephone number are:

Gail Coyne Operations Director Phone: 508-744-1202 Fax: 508-362-3136 Email: gcoyne@capecodcommission.org	Cape Cod Commission 3225 Main Street Barnstable, Massachusetts 02630-0000
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3. The Grants Officer is authorized to award, amend, suspend, and terminate financial assistance awards. The Grants Officer is:

Linda Cruz Carnall Regional Director Phone: 215-597-4063 Fax: 215-597-2908 Email: lcruz-carnall@eda.gov	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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4. The Federal Program Officer (Area Director) oversees the programmatic aspects of this Award. The Federal Program Officer is:

Marguerite McGinley Area Director Phone: 215-597-8822 Fax: 215-597-2908 Email: cchristian@eda.gov	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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5. The Project Officer is responsible for day-to-day administration and liaison with the Recipient and receives all reports and payment requests. The Project Officer is:

Debra Beavin Economic Development Representative Phone: 215-597-8719 FAX: 215-597-6669 Email: DBeavin@eda.gov	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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6. **ADDITIONAL INCLUDED DOCUMENTS:** In addition to the regulations documents, or authorities incorporated by reference on the Financial Assistance Award form (Form CD-450) the following additional documents are included with and considered to be part of the Award’s terms and conditions:

- *Authorized Scope of Work* (Attachment 1).
- *Authorized Staff Positions* (Attachment 2).

Should there be a discrepancy with the Application, these Special Award Conditions and the attachments hereto shall control.

7. **PROJECT DEVELOPMENT TIME SCHEDULE:** The Recipient agrees to the following Project development time schedule:

Time allowed in Financial Assistance Award after EDA Award date:

Performance Period	July 1, 2018 to June 30, 2021
Current Funding Period.....	July 1, 2020 to June 30, 2021
Return of Executed Financial Assistance Award....	Due no later than 30 calendar days after receipt of Form CD-450/451
Annual CEDS Performance Report.....	Due June 30, 2021
GPRA.....	Due June 30, 2021
Semi-Annual Progress Report.....	Due January 31,2021; July 31, 2021
Semi-Annual Financial Reports (SF-425).....	Due January 31, 2021; July 31, 2021
Authorized Award End Date.....	June 30, 2021
Final Financial Report (Form SF-425)	Due no later than 90 calendar days after the end of the period of performance

The Recipient shall diligently pursue the development of the Project so as to ensure completion within this time schedule. Moreover, the Recipient shall promptly notify EDA in writing of any event that could substantially delay meeting any of the proscribed time limits for the Project as set forth above. The Recipient further acknowledges that failure to meet the development time schedule may result in EDA’s taking action to terminate the Award in accordance with the regulations set forth at 2 C.F.R. §§ 200.338 through 200.342, as applicable.

8. PROJECT REPORTING AND FINANCIAL DISBURSEMENTS INSTRUCTIONS:

A. AWARD DISBURSEMENTS: Reimbursement Basis Only. EDA will make Award payments using the Department of Treasury’s Automated Standard Application for Payments (ASAP) system. The Recipient is required to furnish documentation as required by ASAP including but not limited to Recipient and Requestor Identification Numbers. Complete information concerning the ASAP system may be obtained by visiting www.fms.treas.gov/asap.

In order to receive payments, Recipients must draw down funds (ASAP) in accordance with the schedule and amounts outlined below:

Request for reimbursements can be made no more than once per quarter. Special conditions on disbursements are noted in the Special Conditions.

Disbursement Requests (using Form SF-270) and supporting documentation should be forwarded electronically to the Project Officer for review and approval. The Project Officer and/or EDA Accounting will notify the organization when funds are available in ASAP to draw down.

<u>Period</u>	<u>Amount</u>
<i>Upon Approval and Execution of Year One Award</i>	
July 1, 2018 through September 30, 2018	\$ 17,500
October 1, 2018 through December 31, 2018	\$ 17,500
January 1, 2019 through March 31, 2019	\$ 17,500
April 1, 2019 through June 30, 2019	\$ 17,500
<i>Upon Approval and Execution of Year Two Award</i>	
July 1, 2019 through September 30, 2019	\$ 17,500
October 1, 2019 through December 31, 2019	\$ 17,500
January 1, 2020 through March 31, 2020	\$ 17,500
April 1, 2020 through June 30,2020	\$ 17,500
<i>Upon Approval and Execution of Year Three Award</i>	
July 1, 2020 through September 30, 2020	\$ 17,500
October 1, 2020 through December 31, 2020	\$ 17,500
January 1, 2021 through March 31, 2021	\$ 17,500
April 1, 2021 through June 30, 2021	\$ 17,500

EDA retains the right to change Recipients from Advance to Reimbursement or Agency Review status if the Grants Officer deems it necessary or prudent to ensure successful monitoring of Federal funds and protect the Federal interest. In such cases, Recipients can be required to submit a complete Form SF-270, “Request for Reimbursement” for the applicable period electronically to the Project Officer, who will review and process the request.

B. REPORTS:

- a. *Project Progress Reports*: The Recipient agrees to provide the Project Officer with Project Progress Reports, which will communicate the important activities and accomplishments of the Project, on a semi-annual basis for the periods ending **December 30** and **June 30**, or any portion thereof. Reports are due no later than 1 month following the end of the period.

Performance Progress Reports should be submitted to EDA in an electronic format no later than the dates outlined above in a concise, clear format, which outlines the following information in no more than 3-6 pages in length:

- i. Provide a clear, concise overview of the activities undertaken during the Project Period;
- ii. Document accomplishments, benefits, and impacts that the Project and Activities are having. Recipients should note specific outcomes where activities have led to job creation/retention, private investment, increased regional collaboration, engagement with historically excluded groups or regions, enhanced regional capacity, and other positive economic benefits;
- iii. Highlight any upcoming or potential press events or opportunities for collaborative press events to highlight benefits of the EDA investment;
- iv. Compare progress with the project timeline, explaining any departures from the targeted schedule, identifying how these departures are going to be remedied, and projecting the course of work for the next period;
- v. Outline challenges that currently impact or could impact progress on the grant over the next reporting period and identify ways to mitigate this risk; and
- vi. Outline any areas where EDA assistance is needed to support the project or any other key information that would be helpful for your EDA Project Officer to know.

Final Project Reports may be posted on EDA's website, used for promotional materials or policy reviews, or may be otherwise shared. Recipients should not include any copyrighted or other sensitive business information in these reports. There is no specific page limit for Final Project Reports; however, such reports should concisely communicate key project information, and should:

- i. Outline the specific regional need that the project was designed to address and update on progress made during

the reporting period that will mitigate need and advance economic development;

- ii. Provide a high-level overview of the activities undertaken;
- iii. Detail lessons learned during the project period that may be of assistance to EDA or other communities undertaking similar efforts;
- iv. Outline the expected and actual economic benefits of the project as the time that the report is written; and
- v. Any other key information from the relevant project period.

- b. *Financial Reports*: The Recipient shall submit a “Financial Status Report” (Form SF-425) on a semi-annual basis for the periods ending **December 30** and **June 30**, or any portion thereof, for the entire project period. Form SF-425 (and instructions for completing this form) is available at:

http://www.whitehouse.gov/omb/grants/grants_forms.html.

A final Form SF-425 must be submitted no more than 90 calendar days after the expiration date of the Award (e.g., the end of the period of performance specified on the Form CD-450 or Form CD-451). Final financial reports should follow the guidance outlined by the form instructions for submitting mid-term financial reports, but should ensure that all fields accurately reflect the total outlays for the entire project period, and that all matching and program income (if applicable) is fully reported. Final grant rate and determinations of final balances owed to the government will be determined by the information on the final Form SF-425, so it is imperative that this final financial form is submitted in a timely and accurate manner.

- c. *Complete Comprehensive Economic Development Strategy (CEDS) Document or Annual Update*: The Recipient shall submit, each year, either a revised CEDS or a CEDS Annual Performance Report, as required. After five years from EDA approval of the full CEDS, the Recipient must submit a new 5-year CEDS reflecting current regional priorities and data.

9. **ALLOWABLE COSTS AND AUTHORIZED BUDGET**: Total allowable costs will be determined at the conclusion of the period of performance in accordance with the administrative authorities applicable pursuant to the *Financial Assistance Award* (Form CD-450), including the applicable *Cost Principles* and *Uniform Administrative Requirements*, after Final Financial Documents are submitted.

Line Item Budget:

A. Under the terms of the Award, the total approved/authorized budget is:

Federal Share (EDA)	\$ 70,000
Non-Federal Matching Share	\$ 70,000
Total Project Cost	\$ 140,000

B. Under the terms of this Award, the total approved line item budget is:

Personnel	\$ 59,750
Fringe Benefits	\$ 40,760
Travel	
Equipment	
Supplies	
Contractual	
Other	
Total Direct Charges	\$ 100,510
Indirect Charges	\$ 39,490
TOTALS	\$ 140,000

10. **FEDERAL SHARE:** The EDA participation in total eligible project costs will be limited to the EDA grant amount or the EDA share of total allowable project costs, based on the area's grant rate eligibility at the time of award, whichever is less.
11. **MATCHING SHARE:** The Recipient agrees to provide the Recipient's non-Federal Matching Share contribution for eligible project expenses in proportion to the Federal share requested for such project expenses. The Recipient also certifies that, in accepting the Financial Assistance Award, the Recipient's Matching Share of the project costs is committed and unencumbered, from authorized sources, and shall be available as needed for the project.
12. **REFUND CHECKS, INTEREST, OR UNUSED FUNDS:** Treasury has given the EDA two options for having payments deposited to EDA's account:
 - i. The first one is Pay.Gov. This option allows the payee to pay EDA through the Internet. The payee will have the option to make a one-time payment or to set up an account to make regular payments.

- ii. The second option is Paper Check conversion. All checks must identify on their face the name of the DOC agency funding the award, award number, and no more than a two-word description to identify the reason for the refund or check. A copy of the check should be provided to the EDA Project Officer. This option allows the payee to send a check to NOAA's Accounting Office, who processes EDA's accounting functions at the following address:

U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
Finance Office, AOD, EDA Grants
20020 Century Boulevard,
Germantown, MD 20874

The accounting staff will scan the checks in encrypted file to the Federal Reserve Bank, and the funds will be deposited in EDA's account. While this process will not be an issue with most payees, there are occasionally issues for entities remitting funds to EDA via check. If you are remitting funds to EDA via check, please make note of the following:

Notice to Customers Making Payment by Check

If a check is sent to EDA, it will be converted into an electronic funds transfer by copying the check and using the account information to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will appear on your regular account statement.

EDA will not return your original check; the original will be destroyed and a copy will be maintained in our office. If the Electronic Funds Transfer (EFT) cannot be processed for technical reasons, the copy will be processed in place of the original check. If the EFT cannot be completed because of insufficient funds, we will charge you a one-time fee of \$25.00, which will be collected by EFT.

13. **PLANNING COORDINATION:** In keeping with regional economic development principles, Recipients shall coordinate economic development planning and implementation projects with other economic development organizations affecting the area, especially EDA-funded recipients such as State and Urban planning grantees, adjoining Economic Development Districts (EDDs) and Indian Tribes, and University Centers (UCs).
14. **PROCUREMENT:** Recipient agrees that all procurement transactions shall be in accordance with 2 C.F.R §§ 200.317 through 200.326, as applicable.

15. **NONRELOCATION:** In signing this award of financial assistance, Recipient(s) attests that EDA funding is not intended by the Recipient to assist its efforts to induce the relocation, or the movement of existing jobs from one region to another region in competition with those jobs. In the event that EDA determines that its assistance was used for such purposes, EDA retains the right to pursue appropriate enforcement action in accord with the Standard Terms and Conditions of the Award, including suspension of disbursements and termination of the award for convenience or cause, which may include the establishment of a debt requiring the Recipient to reimburse EDA.
16. **PERFORMANCE MEASURES:** The Recipient agrees to report on program performance measures and program outcomes in such a form and at such intervals as may be prescribed by EDA in compliance with the Government Performance and Results Act (GPRA) of 1993, and the Government Performance and Results Modernization Act of 2010. Recipients are to retain sufficient documentation so that they can submit these required reports. Failure to submit this required report can adversely impact the ability of the Recipient to secure future funding from EDA.

Performance measures and reporting requirements that apply to program activities funded by this investment will be provided in a separate GPRA information collection document. EDA staff will contact Recipients in writing within a reasonable period prior to the time of submission of the reports with information on how this data should be submitted.

Additionally, as part of an initiative to better measure the impacts of EDA investments and to improve the Agency's overall evaluation process, EDA will distribute two sets of online surveys that will require the Recipient to respond on a quarterly and annual basis. The first set requires the Recipient to report on the "Program Outputs" generated by the project and will be collected quarterly during the period of performance. The second set requires the Recipient to provide data on the "Capacity Outcomes" resulting from the award and will be collected annually during the period of performance and for five consecutive years after the project closeout. In order to effectively and accurately respond to these requirements, the Recipient is expected to continuously track their activities and develop a sustainable data management plan for tracking and recording program output data.

17. **STAFFING CHANGES:** For vacant positions primarily funded by the EDA grant (ex: Executive Directors, Economic Development Planners, Tribal Planners), Recipient will send the following information to the Philadelphia Regional Office for review: a copy of the job announcement, a copy of the resumes of the top three qualified candidates, and if interviews have already taken place, the identification of the selected candidate hired for the EDA funded position. This review is consistent with the Public Works and Economic Development Act of 1965, as Amended ("PWEDA") Title V – Administration SEC.504 of 42 U.S.C. § 3194) titled, "Administration, Operation: and Maintenance". The review is to ensure that the key EDA funded positions will be staffed by qualified individuals and that the grant will be properly and efficiently administered, operated and maintained.

18. **REAFFIRMATION OF APPLICATION:** Recipient acknowledges that Recipient's application for this Award may have been submitted to the Government and signed by Recipient, or by an authorized representative of Recipient, electronically. Regardless of the means by which Recipient submitted its application to the Government or whether Recipient or an authorized representative of Recipient submitted its application to the Government, the Recipient hereby reaffirms and states that:
- i. All data in the application and documents submitted with the application are true and correct as of the date the application was submitted and remain true and correct as of the date of this Award;
 - ii. The application was, as of the date of submission and the date of this Award, duly authorized as required by local law by the governing body of the Recipient; and
 - iii. Recipient has read, understood, and will comply with all terms of this Award, including the Assurances and Certifications submitted with, or attached to, the application.

The term "application" includes all documentation and any information provided to the Government as part of, and in furtherance to, the request for funding, including submissions made in response to information requested by the Government after submission of the initial application.

19. **CEDS CONTENT REQUIREMENTS:** In addition to the requirements currently noted in 13 CFR § 303.7, Recipients shall include an economic resiliency component in the Comprehensive Economic Development Strategy (CEDs). This component may specifically focus on a strategy to promote disaster resiliency, but is encouraged to be a broader analysis about the economic resiliency of the region. The Resiliency Strategy shall detail the Recipient's planning, response and recovery activities to be implemented should an economic disruption (disaster or otherwise) occur. Irrespective of focus, the Resiliency Strategy shall also contain a list of implementation priorities and steps to stabilize and support a region's overall economic resiliency. A timeline associated with the implementation priorities and the identification of key stakeholders responsible for implementing those priorities should be included.
20. **MULTI-YEAR AWARD:** The period of performance and budget(s) incorporated into this Award cover a 3-year period for a total anticipated amount of \$210,000 in Federal funds. However, Federal funding available at this time is limited to \$70,000 for this funding period. Receipt of prospective funding is contingent upon the availability of funds from Congress, satisfactory performance, continued relevance to program objectives and will be at the sole discretion of EDA. EDA is not liable for any obligations, expenditures, or commitments which involve any amount in excess of the Federal amount presently available. The Recipient will be responsible for any and all termination costs it may incur should prospective funding not become available. No legal liability will exist or result on the part of the Federal Government for payment of any portion of the remaining funds which have not been made available under the award.

Notifications affecting funding or notice of non-availability of additional funding for prospective years will be made only by the Grants Officer. The amendment to obligate prospective funding available shall be made on Form CD-451, "Amendment to Financial Assistance Award," if at all possible prior to the expiration of each year's activities.

The period of performance for this action is July 1, 2018 through June 30, 2021.

The funding period for this action is July 1, 2020 through June 30, 2021.

ATTACHMENT 1

Authorized Scope of Work

Scope of Work:

The 5-Year Comprehensive Economic Development Strategy (CEDS) for Cape Cod was updated and certified by EDA in 2019. A copy of the 2019 CEDS can be found on the Cape Cod Commission's website at <https://capecodcommission.org/our-work/ceds>.

Administration and General Planning

Commission staff will provide administrative support to the CEDS Strategy Committee and partner agencies to implement the CEDS. Other general planning activities include regulatory review of large-scale projects in municipalities, technical assistance to towns in using the Commission's unique planning and regulatory tools to focus development in centers of activity, and support municipalities and regional partners in submitting funding applications to the EDA and other federal and state agencies.

Outreach and Information Sharing

The Commission will work with partners throughout the region to hold an annual conference, known as OneCape, on issues related to the environment and economy on Cape Cod. The 2020 Summit will discuss ongoing efforts to become a more resilient region. In addition to the annual conference, Commission staff will make regular public presentations on the region's economy and CEDS implementation. Staff will redevelop, upgrade, and maintain on-line tools for dissemination of data, including STATS Cape Cod, and tools to support data analysis and understanding. In response to the COVID-19 pandemic, the Commission will issue one or more business impact surveys, analyze responses, and provide data and information relative to recovery in an online data dashboard.

Targeted Technical Assistance to Towns

The Commission will provide targeted technical assistance to towns through the multi-disciplinary Regional Economic Strategy Executive Team (RESET) approach developed in the 2009 CEDS to tackle impediments to economic development. This year technical assistance will focus on assessing and planning for key regional centers of activity needed to accommodate future growth and providing support to communities updating local comprehensive plans. Staff will continue to provide support for more affordable and diverse housing options by using building prototypes that provide residential density that is sensitive to the character of Cape Cod to illustrate and facilitate zoning changes to allow for multi-family and moderately priced housing in activity centers.

Regional Initiatives and Projects Implementation

Commission staff will undertake three major regional planning efforts identified in the 2019 CEDS – the Regional Capital Plan, the Climate Initiative, and the Regional Housing Plan. These efforts correspond to the greatest impediments to economic wellbeing on the Cape – gaps in

essential wastewater infrastructure, impacts to infrastructure and ecosystems as a result of climate change, and workforce housing affordability.

PERFORMANCE MEASURES

CEDS implementation is evaluated on an annual basis and happens at three levels:

- Evaluating the Region's Progress
- Evaluating the CEDS-Led Regional Collaboration
- Evaluating the CEDS Annual Implementation Plan

The evaluation process is overseen by the CEDS Strategy Committee and uses quantitative and qualitative measures to gauge progress towards the CEDS goals.

The first level of evaluation will focus on how well the region is doing relative to the CEDS vision and goals. The measures reflect long-term structural changes to the economy and will therefore only show small changes on a year-to-year basis. Changes in the regional economy are measured in three ways:

- Regional Balanced Economy benchmarks
- Regional Priority Objectives
- EDA Distress Criteria

The second level will focus on evaluating how well the high level of community involvement during the update process has been leveraged to implement the plan. Two measures are used to gauge success:

- Financial resources garnered to implement the CEDS
- Forums established to foster regional partnerships

The final step is to evaluate progress on the implementation plan. The three projects to be undertaken during this reporting period are a Regional Capital Plan, the Climate Initiative, and the Regional Housing Plan, described in brief here (Item 7: Scope of Work) and in more detail in the 2019 CEDS. Process measures have been developed to document implementation efforts and outcome measures will focus on the economic impacts of our efforts. Specific measures include:

- Funding sought and leveraged for the projects and initiatives
- Master plans completed for regional activity centers
- Number of projects identified and included in capital planning inventory
- Number of infrastructure projects coordinated between towns to reduce costs
- Number of housing units constructed compared with the identified regional, sub-regional, and town-specific housing supply goals identified in the regional housing plan
- Regional greenhouse gas emissions and actions and policies to reduce emissions

- Number of charging stations for electric vehicles

Number of utility-scale renewable energy installations

Attachment 2

Authorized Staffing Plan

	A	B	C	D	E	
Title	Annual Salary	% of Time to EDA Program	Salary to EDA Grant	Federal Share	Grantee Share	Total Salary
Explanation	Total Salary for Position	Amount of time spent on EDA grant	Calculation Ax B	How much of C is Federal \$	How Much of C is Match \$	D+E
Jen Clinton, Community Development Planner	\$79,258	40%	\$31,704	\$15,852	\$15,852	\$31,704
Erin Perry, Deputy Director	\$99,142	5%	\$4,958	\$2,479	\$2,479	\$4,958
Chloe Schaefer, Chief Planner	\$85,633	10%	\$8,564	\$4,282	\$4,282	\$8,564
Michele White, Special Projects Coordinator	\$81,644	10%	\$8,164	\$4,082	\$4,082	\$8,164
Elisbeth Kellam, Community Design Planner	\$65,138	10%	\$6,360	\$3,180	\$3,180	\$6,360
TOTALS				\$29,875	\$29,875	\$59,750
FRINGE BENEFITS				\$20,380	\$20,380	\$40,760
INDIRECT COSTS				\$19,745	\$19,745	\$39,490
GRAND TOTAL				\$70,000	\$70,000	\$140,000

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to authorize the execution of an amendment to an agreement for a grant, executed July 18, 2018, from the United States Department of Commerce, Economic Development Administration, in the amount of \$140,000.00, to support the development and implementation of the Comprehensive Economic Development Strategy (CEDS) for Cape Cod, for a period from July 1, 2019 through June 30, 2021, to provide the third year of funding in the amount of \$70,000.00, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2019

 *Janice O'Connell*
Barnstable County Regional Clerk



**AGREEMENT FOR SERVICES
ADDENDUM No. 5**

Project Title: Barnstable County Dredge Program Services **FOTH Project Number:** 19B017.00
CLIENT Project Number: N/A
(If applicable)

This Addendum (in addition to and subject to the conditions contained in the Agreement for Services dated May 28, 2019), (hereinafter "Addendum"), is made and entered into this 9th day of June 2020, by and between **FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC**, 15 Creek Road, Marion, MA 02738, (hereinafter "Consultant") and Commissioners of Barnstable County, (hereinafter "Client"), for the services described under the Scope of Services (the "Services").

CLIENT: Barnstable County Dredge Program
Address: 3295 Main Street Barnstable, MA 02630
Phone No: 508-375-6603 **Fax No:** _____

Scope of Services: Client hereby agrees to retain Consultant to perform the following Services:

1.) Additional Pre- & Post-Dredge Hydrographic surveys, plan preparation, electronic line file preparation for dredging and volume calculations for 2019-2020 season; 2.) Continuation of On-Call Services thru 11/28/2020.

Schedule: Services shall be performed according to the following schedule:

Commence immediately upon authorization.

Compensation: In consideration of these Services, the Client agrees to pay Consultant compensation as follows:

Lump-Sum in the amount of \$37,750 for Pre- and Post-dredge surveys, plans, line files and payment volumes (see budget attached)

Unit Cost/Time Charges (Standard Rates) for Continued On-Call Services based on hourly rates approved under 5/28/2019 agreement; Upset Fee Limit = \$78,680.00 (see est. budget attached).

Other as stated here:

Special Conditions (if any):

Entire Agreement: This Addendum, along with other approved Addendums, together with and subject to the Agreement for Services referenced above, constitutes the entire understanding between the parties with respect to the subject matter hereof. This Addendum may be modified by subsequent written addenda mutually agreeable by both parties.

IN WITNESS WHEREOF, this Agreement is accepted on the date last written below, subject to the terms and conditions above stated and the provisions set forth herein.

CLIENT

DocuSigned by:

Signed: Ronald Bergstrom

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Name (printed): _____

Title: _____

Date: 6/23/2020

Signed: _____

Name (printed): _____

Title: _____

Date: _____

Signed: _____

Name (printed): _____

Title: _____

Date: _____

FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC

Signed: Christine M. Player

Name (printed): Christine M. Player

Title: Senior Client Team Leader

Date: 06/09/2020

Signed: Wendy Rocha

Name (printed): Wendy Rocha

Title: Senior Client Team Leader

Date: 06/09/2020



**BARNSTABLE COUNTY DREDGE PROGRAM
CONSULTANT SUPPORT SERVICES MAY 2020 - NOVEMBER 2020
ESTIMATED FEE SCHEDULE (rev. 06/09/2020)**

HYDROGRAPHIC SURVEYS TO COMPLETE 2019-2020 DREDGE SEASON	Pre-dredge Survey	Post-dredge Survey	TOTAL FEE*
Chatham Mill Creek	X	\$ 3,950.00	\$ 3,950.00
Falmouth Green Pond	\$ 4,500.00	\$ 3,950.00	\$ 8,450.00
Harwich Allen Harbor Approach Channel	\$ 4,500.00	\$ 3,950.00	\$ 8,450.00
Harwich Wychmere Harbor Approach Channel	\$ 4,500.00	\$ 3,950.00	\$ 8,450.00
Falmouth Great Pond	\$ 4,500.00	\$ 3,950.00	\$ 8,450.00
TOTAL	\$ 18,000.00	\$ 19,750.00	\$ 37,750.00

**All surveys are based on lump sum fee and include field work, plan preparation, calculation of dredge quantities and line file set up for dredge operator; travel costs to sites included in fee.*

NOTE: 2020-2021 Dredge Season survey budget to be determined (TBD) following issuance of schedule.

ON-CALL SERVICES (MAY 2020 - NOVEMBER 2020)	Estimated Hrs		Hourly Rate	Estimate Fee Range	
Comprehensive TOY waiver request (Falmout & Harwich)	24	30	\$ 160.00	\$ 3,840.00	\$ 4,800.00
General Permitting Assistance to Towns	30	40	\$ 160.00	\$ 4,800.00	\$ 6,400.00
Technical Support - Dredge Operations	24	36	\$ 140.00	\$ 3,360.00	\$ 5,040.00
Conference calls/virtual meetings (4 total)	8	12	\$ 160.00	\$ 1,280.00	\$ 1,920.00
Dredge Administrator/Business Manager Candidate Search, Interviews & Selection	16	24	\$ 160.00	\$ 2,560.00	\$ 3,840.00
Project Management/Coordination (Administrative/Field Operations; Assume 8 to 12 hrs/wk @ 29 weeks)	232	348	\$ 160.00	\$ 37,120.00	\$ 55,680.00
ALLOWANCE Direct Expenses (mileage, mailings, reproduction, etc.)				\$ 1,000.00	\$ 1,000.00
TOTAL	334	490	X	\$ 53,960.00	\$ 78,680.00

**Scope of services, hours and fees are estimated and may vary based upon direction given by the County or unplanned events. Hourly rates to be in accordance with contract rate schedule.*

Certificate Of Completion

Envelope Id: B7F4C77CFABE400DB34177B2E541E5C3	Status: Completed
Subject: Please DocuSign: C-Addendum 5 Hydro Services.pdf	
Source Envelope:	
Document Pages: 2	Signatures: 1
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Jennifer Frates
Time Zone: (UTC-05:00) Eastern Time (US & Canada)	3195 Main Street
	Barnstable, MA 02630
	jennifer.frates@barnstablecounty.org
	IP Address: 66.31.243.147

Record Tracking

Status: Original 6/17/2020 11:53:13 AM	Holder: Jennifer Frates jennifer.frates@barnstablecounty.org	Location: DocuSign
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Barnstable County	Location: DocuSign

Signer Events

Ronald Bergstrom
rbergstrom@barnstablecounty.org
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

B47187903E8A4F6...
Signature Adoption: Pre-selected Style
Using IP Address: 73.227.103.133

Timestamp

Sent: 6/17/2020 11:54:37 AM
Resent: 6/22/2020 1:29:46 PM
Resent: 6/23/2020 3:27:12 PM
Viewed: 6/23/2020 4:48:34 PM
Signed: 6/23/2020 4:48:49 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Owen Fletcher
owen.fletcher@barnstablecounty.org
Barnstable County
Security Level: Email, Account Authentication (None)

COPIED

Sent: 6/23/2020 4:48:51 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent	Hashed/Encrypted	6/23/2020 4:48:51 PM
Certified Delivered	Security Checked	6/23/2020 4:48:51 PM
Signing Complete	Security Checked	6/23/2020 4:48:51 PM

Envelope Summary Events	Status	Timestamps
Completed	Security Checked	6/23/2020 4:48:51 PM

Payment Events	Status	Timestamps
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COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

At a regular meeting of the Barnstable County Board of Regional Commissioners, on the seventeenth day of June, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, motion by Commissioner Beaty to authorize the execution of an amendment to a contract with Foth Economic Development Administration Infrastructure & Environment LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for the amount of \$116,430.00, for a period from May 28, 2019 through November 28, 2020, for 1) Additional Pre- & Post-Dredge Hydrographic surveys, plan preparation, electronic line file preparation for dredging, and volume calculations for 2019-2020 season; and 2) continuation of On-Call Services through November 28, 2020, 2nd by Commissioner Flynn, approved 3-0-0

Ronald Bergstrom, Chair: Y

Mary Pat Flynn, Vice-Chair: Y

Ronald R. Beaty, Commissioner: Y

A true copy, Attest, June 17, 2020

 *Janice O'Connell*
Barnstable County Regional Clerk