



COMMISSIONERS COURT
COMMUNICATION

AGENDA DATE : 06/11/2012

CONSENT OR REGULAR: Consent

CONTRACT REFERENCE NO
(IF APPLICABLE): 2012-237

SUBJECT:

Approve and authorize the County Judge to execute the on-line grant application to the Department of Justice - Bureau of Justice Assistance for the FY 2012 Bullet Proof Vest program for the El Paso County Sheriff's Office.

BACKGROUND/DISCUSSION OF TOPIC: To include statutory requirement, operational impact, or performance goal.

The Bureau of Justice Assistance (BJA) grant application for bullet proof vests is due 06/27/2012 for the County of El Paso.

FISCAL IMPACT:

Grant funds to purchase bullet proof vests.

PRIOR COMMISSIONERS COURT ACTION (IF ANY):

None.

RECOMMENDATION:

Recommend approval.

COUNTY ATTORNEY APPROVAL

The attached document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

COUNTY ATTORNEY:

LEGAL REVIEW:

LEGAL REVIEW NOTES (If Applicable):

DATE:

SUBMITTED BY: Richard D. Wiles, Sheriff (915) 538-2216

Isabel Hernandez

From: Janet Monteros
Sent: Wednesday, May 30, 2012 5:02 PM
To: Isabel Hernandez; Alicia Vera; Josefina Vasquez
Subject: kk-12-0237 -- BulletProof Vest Partnership Grant application/BJA/DOJ/BVP

COUNTY LEGAL REVIEW FORM

KK-12-0237

Contract Description: BulletProof Vest Partnership Grant application/BJA/DOJ/BVP

COUNTY ATTORNEY ACTION**

****Requested Amendments/Clarifications:** We assume you have submitted any questions or comments you have regarding the terms of the contract, as well as any specific provisions to which you object, or which you want to have changed.

Approved as to Form as Submitted
 Approved as to Form with Amendments/Modifications/Reservations Noted Below*
 Not Approved

*1)

This document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

Janet Monteros
Assistant County Attorney



JANET I. MONTEROS, ASSISTANT COUNTY ATTORNEY

General Counsel Unit

EL PASO COUNTY ATTORNEY'S OFFICE

Isabel Hernandez

From: Richard Wiles (Sheriff)
Sent: Friday, May 18, 2012 12:53 PM
To: Isabel Hernandez
Subject: FW: MCSA Update - Bulletproof Vest Grant Program

From: Bouchard, Michael [<mailto:ocso@oakgov.com>]
Sent: Friday, May 18, 2012 12:25 PM
To: Sheriff Michael J. Bouchard
Subject: MCSA Update - Bulletproof Vest Grant Program

Yesterday, the Senate Judiciary Committee passed out of committee S. 2554, the "Bulletproof Vest Partnership Grant Act of 2012" with a vote of 17-1. Senators Grassley and Feinstein both had amendments which were accepted by unanimous consent. They broke down as the following:

Feinstein

- Added a section on form fitting vests specifically tailored to female law enforcement officers

Grassley

- All previously appropriated funds under this grant program must be used by September 30, 2014, or will be returned to Treasury
- State/local entities are not permitted to use other federal grant funds to satisfy the match requirement
- To use funds under this grant program, a mandatory wear policy must be instated within the department, and the vests must conform to DOJ Bureau of Justice Assistance guidelines
- The overall program is reauthorized through 2017 with the following funding breakdowns
 - \$15M for FY 13 and FY 14
 - \$30M for FY 15, FY 16 and FY 17

Thank you, have a great weekend!

Sheriff Michael J. Bouchard
Oakland County Sheriff's Office
Vice President- Government Affairs, MCSA

Isabel Hernandez

From: owner-bvp-list@ojp.usdoj.gov on behalf of BVP [bvp@usdoj.gov]
Sent: Wednesday, May 16, 2012 1:52 PM
Subject: Bulletproof Vest Partnership FY 2012 Application Announcement

Dear BVP Participant:

The Bureau of Justice Assistance (BJA) is pleased to announce the Fiscal Year 2012 BVP application funding period.

Applications for FY 2012 BVP funds will be accepted beginning Wednesday, May 16, 2012. All applications must be submitted online at <http://www.ojp.usdoj.gov/bvpbasi/> by 6:00 pm (e.d.t.), Wednesday, June 27, 2012.

Important Information Regarding FY 2012 BVP Funds:

1. The mandatory wear requirement implemented in FY 2011 is still in place for FY 12. Jurisdictions receiving funding for reimbursement of body armor purchases must have a written mandatory wear policy for uniformed patrol officers, in place when the FY 2012 BVP applications are submitted. Please see the BVP mandatory FAQs for further guidance on this new requirement: <http://www.ojp.usdoj.gov/bvpbasi/docs/FAQsBVP MandatoryWearPolicy.pdf>
2. FY 2012 BVP funds may only be used toward the purchase of vests ordered on or after April 1, 2012.
3. Each vest purchased with FY 2012 funds must meet National Institute of Justice (NIJ) standards on the date it was ordered and must be American-made. Please see this website for the latest NIJ compliant vests: https://www.justnet.org/other/ballistic_cpl.html and https://www.justnet.org/other/stab_cpl.html
4. To draw down FY 2012 BVP funds, vests must be received and the request for payment submitted to the BVP system by August 31, 2014.
5. **NEW** - The BVP user login process was updated on 11/22/2011. This update requires all existing users to visit the [BVP site](#) to register for a new BVP account and associate it with an existing agency before agency details can be viewed. If you have already completed these steps, please proceed with the application.

To register, please create a new user login and associate it with your current agency by providing your current account login and password. See the [BVP Account Creation Checklist](#) for an overview of the steps required, and the [BVP User and Agency Registration Guide](#) for more details on this process.

6. **NEW** - Jurisdictions with more than one law enforcement agency (LEA) associated with the jurisdiction account may not submit a separate application. Instead, the LEAs associated with jurisdictions with more than one LEA must submit their own application information and vest needs to the jurisdiction. The jurisdiction will then submit the LEA applications in one submission to BJA.

To ensure that program participants are submitting applications that accurately reflect their vest needs for the next two years, please review the program guidance below. Prior to submitting an application for FY 2012 BVP funds:

1. Verify that the number of vests indicated on the application does not exceed actual agency needs. Review all currently deployed vests for those that will need to be replaced during the next two years, according to the replacement cycle indicated on your BVP system profile. Applications for funds should reflect the number of vests your agency needs to replace within the next two years, and vests for officers your agency anticipates hiring in the next two years. (New hires can be anticipated based on the average number of officers hired over the most recent three years.)
2. Ensure that the application accurately reflects the current market cost for the vests identified on the application.
3. Review previous year(s) BVP funding to identify any unspent funds that might currently be available for BVP needs.

Your careful attention to actual vest needs will help ensure that all eligible jurisdictions submitting requests will receive the maximum allowable based on the appropriation and distribution guidelines.

For questions regarding this email or for assistance with the online application process, please do not hesitate to call the BVP Help Desk at 1-877-758-3787, or email vests@usdoj.gov.

Sincerely,

Please make sure your Jurisdiction name is correct since this is how it will appear on your banking form. If the jurisdiction name is incorrect, please contact the BVP Help Desk as shown at the bottom of the left side menu.

*Denotes required fields.



Jurisdiction Information

Jurisdiction Name	EL PASO COUNTY		
Government ID Number	441071071		
Jurisdiction Type	County/Parish		
* <u>Tax Payer ID Number</u>	746000762		
<u>9 Digit DUNS</u>	098970403		
DUNS 4	(none)		
* Address Line 1	500 E. San Antonio		
Address Line 2			
* City	EL PASO		
State	TX		
* Zip Code	79901	- 2419	Need Help with Zip+4?
County	EL PASO		
Congressional District 03, 04, 05, etc	16,23		
<u>Population</u>	679622		
Home Page http://www.yourwebaddress.com	http://www.epcounty.com		
* Full Time Officers	290		
* Part Time Officers	0		

Save Changes

Section Registration > Contact Information > Chief Executive Information

OMB #1121-0235
(Expires: 10/31/2006)

The Chief Executive Officer is the jurisdiction's highest ranking elected or appointed administrative official, responsible for managing its human and budgetary resources.

*Denotes required fields.



Chief Executive Information

* First Name	Veronica
* Last Name	Escobar
* Phone Number	(915) 546-2098
Fax Number	(915) 543-3888
* Email you@youremail.com	cjdescobar@epcounty.com

Save and Continue

Section Registration > Contact Information > Financial POC Information

OMB #1121-0235
(Expires: 10/31/2006)

In addition to the Primary Point of Contact, the Financial Point of Contact will be notified regarding issues related to the bank account information, payment requests, and funding disbursements.

Jurisdiction Primary POC Chief Executive Financial POC

Financial POC Information

First Name

Edward A.

Last Name

Dion

Phone Number

(915) 546-2040 x3482

Fax Number

(915) 546-8172

Email

you@youremail.com

edion@epcounty.com

Save and Continue

The Primary Point of Contact (POC) will act on behalf of the jurisdiction's Chief Executive Officer to complete an application and certify its accuracy and adherence to stated program guidelines and requirements. The POC is the primary recipient of official electronic correspondence about the application status, approval, and payments. A valid Email address is required.

*Denotes required fields.

Jurisdiction
Primary POC
Chief Executive
Financial POC

POC Information

* First Name	Luis
* Last Name	Martinez
* Address	800 E. Overland St., Room 406
Address 2	
* City	El Paso
* State	Texas
* Zip Code	79901 - 2419 Need Help with Zip+4?
* Phone Number	(915) 546-2040 x3488
Fax Number	(915) 538-2028
* Email <small>you@youremail.com</small>	lmartinez@epcounty.com

List in Yellow Pages

Do you wish to have your Jurisdiction listed in the BVP program Yellow Pages? If you select 'Yes', your contact information will be available to other Jurisdictions and Law Enforcement Agencies through the Yellow Pages. If you answer 'No', others will not have access to the above information, making contact between agencies more difficult. Confidential information (i.e.- Banking data) will never be displayed in the yellow pages.

List in Yellow Pages? Yes

POC Responsibilities

Your role as the Primary Point of Contact will be critical to the success of this program. You will be required to review and approve the online application and all requests for payment. You will also be making various assurances and certifications with respect to key program guidelines and requirements. **If you feel these responsibilities exceed your authority, please STOP at this point and resume once your authority has been more clearly established.** If you are the Chief Executive, then you will also be acting as the Primary Point of Contact for your jurisdiction.

Save Changes

OMB #1121-0235
(Expires: 10/31/2006)

CERTIFICATION

Chief Executive Certification

As chief executive officer (or authorized designee) of this jurisdiction, my submission of this Application for Funding Form under the Bulletproof Vest Partnership Grant Act, represents my legally binding acceptance of the terms set forth on this form; and the program's statutory and programmatic requirements, restrictions, and conditions, including the following:

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided, using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American - made equipment and products.

The recipient acknowledges that this grant is for Federal preparedness assistance. Therefore, the recipient agrees that it will implement and comply with the National Incident Management System (NIMS) as required by Homeland Security Presidential Directive 5 (HSPD-5). <http://www.fema.gov/nims>. The recipient acknowledges that the Secretary of Homeland Security will develop standards and guidelines for determining whether a State or local entity has adopted the NIMS. Finally, the recipient further acknowledges that the Secretary of Homeland Security will determine compliance with the NIMS and the recipient agrees to abide by the Secretary's decision on compliance.

The applicant will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers or documents related to this application and any subsequent payments received as a result of this application. The applicant agrees that documentation to support the BVP vest application and payment requests will be kept for at least a three year period.

The applicant acknowledges that Justice Assistance Grant (JAG) funds or other federal funding sources may not be used to pay for that portion of the bullet proof vest (50%) that is not covered by BVP funds. JAG or other federal funds may be used to purchase vests for an agency, but they may not be used as the 50% match for BVP purposes.

I acknowledge and accept the Chief Executive Certification

CERTIFICATION

Funding Limits Certification

If the submission of this application for funding is in conjunction with transactions for the purchase of vests, I understand and agree to abide by the following:

I understand that all funding awards will be subject to the availability of funds and I acknowledge that there is no guaranteed level of funding associated with the submission of this application to the BVP program.

I agree to meet my financial and contractual obligations associated with any purchase transactions, regardless of the amount of funding received through this application.purposes.

I certify to the best of my knowledge and belief, all information in this application is true and correct.

I acknowledge and accept the Funding Limits Certification

CERTIFICATION

Mandatory Wear Policy Certification

As Chief Executive Officer (or authorized designee) of this jurisdiction, I hereby acknowledge that submission of this application for funding, under the Bulletproof Vest Partnership (BVP) Grant Act, represents this jurisdiction's binding acceptance of the terms set forth in this form and the program's

statutory and programmatic requirements, restrictions, and conditions for use of the BVP funds, including, but not limited to, the following:

I certify that the applicant jurisdiction has a written, mandatory wear policy that establishes general requirements for law enforcement and corrections officers, assigned to uniformed functions, to wear, subject to appropriate exceptions as determined by the applicant jurisdiction, bullet-resistant vests and that this policy is in effect on the date this application is submitted to the BVP program office for funding.

In making this certification, the jurisdiction hereby agrees to give the funding agency or the Office of the Inspector General, through any authorized representative, access to and the right to examine such policy as set forth the mandatory wearing of protective vests.

I certify to the best of my knowledge and belief that, at the time this application is submitted, this jurisdiction is in compliance with the "Mandatory Wear Policy" requirement.

I acknowledge that a false statement in this certification or in the grant application that it supports may be subject to criminal prosecution, including under 18 U.S.C. § 1001 and 42 U.S.C. § 3795a. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I acknowledge and accept the Mandatory Wear Policy Certification

As the chief executive officer (or designee), authorized to submit this application, I hereby enter my full name in the space provided below:

Veronica Escobar, County Judge

Back

Submit

Section Application > Manage Application > View/Update Application

OMB #1121-0235
(Expires: 10/31/2006)

Listed below is each of the vests which you included in your application. You may view, change or delete the information shown for each type of vests listed by clicking on its 'Model Name'.

Application Profile

Participant	EL PASO COUNTY
Fiscal Year	2012
Number of Agencies Applied	1
Total Number of Officers for Application	290
Number of Officers on Approved Sub-Applications	290
<u>Unspent BVP Funds Remaining</u>	\$1,223.29
Unspent BVP Funds <u>Obligated</u> for Vest Purchases	\$1,223.29

Sub-Application Profile

Fiscal Year	2012
<u>Vest Replacement Cycle</u>	5
Number of Officers	290
<u>Emergency Replacement Needs</u>	0
Zylon	0
Replacement	
Stolen or Damaged	0
Officer Turnover	5

View/Update Application

Vests for 2012 Regular Fund

Model Name	Quantity	Specification	Gender	Unit Price	Extended Cost	Tax/S&H	Total Cost
<u>BA-3A00S-MR01</u>	45	IIIA	N	\$550.00	\$24,750.00	\$0.00	\$24,750.00
<u>BA-3A00S-MR01</u>	45	IIIA	N	\$550.00	\$24,750.00	\$0.00	\$24,750.00
<u>BA-3A00S-MR01</u>	89	IIIA	N	\$550.00	\$48,950.00	\$0.00	\$48,950.00
Grand Totals	179				\$98,450.00	\$0.00	\$98,450.00

[Proceed to Review Application](#)

[Add Vests to Application](#)

Section Application > Submit Application > Submit Application for Funding for BVP Approval

OMB #1121-0235
(Expires:
10/31/2006)

PLEASE NOTE: Applications for funding may be submitted for the purchase of any armor that meets the established NIJ ballistic or stab standards ordered **on or after April 1, 2012**. Once the open application period closes, funding levels will be established and all applicants will be notified.

Application Profile

Participant	EL PASO COUNTY
Fiscal Year	2012
Number of Agencies Applied	1
Total Number of Officers for Application	290
Number of Officers on Approved Sub-Applications	290
<u>Unspent BVP Funds</u> Remaining	\$1,223.29
Unspent BVP Funds <u>Obligated</u> for Vest Purchases	\$1,223.29

Sub-Application Profile

Fiscal Year	2012
<u>Vest Replacement Cycle</u>	5
Number of Officers	290
<u>Emergency Replacement</u> Zylon	0
<u>Replacement Needs</u> Stolen or Damaged	0
Officer Turnover	5

Submit Application for Funding for BVP Approval

Name	Quantity	Application for Funding		Total Cost
		Extended Cost	Tax, S&H*	
EL PASO COUNTY	179	\$98,450.00	\$0.00	\$98,450.00
Grand Totals	179	\$98,450.00	\$0.00	\$98,450.00
Requested BVP Portion of Total Cost, up to:				\$49,225.00

* Total Taxes, Shipping and Handling Cost for each Application

[Submit Application for BVP Approval](#)

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time for all components of a jurisdiction to complete and file this Application for Funding form is two hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you may use the Suggestions e-mail option on this BVP web site, or you may write to the BVP, c/o Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC, 20531.