

Date: December 12, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Resolution Retroactively Approving the County's Action, Acting As Fiscal Agent For the Eleventh Judicial Circuit of Florida, in Applying for Grant Funds to Expand Capacity in the Dependency Drug Court, And Authorizing Receipt and Expenditure of Grant Funds

Agenda Item No. 3(B)(1)

Resolution No. R-1049-23

Executive Summary

The purpose of this item is to seek retroactive approval from the Board of County Commissioners (Board) to apply, receive and expend grant funds, acting as fiscal agent for Eleventh Judicial Circuit of Florida (the Court), from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), in the amount of \$2,000,000.00 for the Miami-Dade County (County) Dependency Drug Court Response to Family Treatment Needs Expansion Project (Project). The Project's goal is to expand Substance Use Disorder (SUD) treatment and recovery support services for participants in existing drug courts. The Project addresses the need for treatment instead of incarceration for individuals with SUD. The Project supports a continuum of care, including prevention, harm reduction, treatment, and recovery services, for individuals with SUDs involved with the courts. Harm reduction services funded under this grant award must adhere to federal, state, and local laws, regulations, and other requirements related to such programs or services. The item also authorizes the County Mayor or the County Mayor's designee, acting as fiscal agent for the Court, to apply for, receive, and expend additional future funds that may become available for the Project, for up to 10 years from the effective date of this item.

Recommendation

It is recommended that the Board approve this item, which does the following:

- Retroactively approves and authorizes the action of the County Mayor or the County Mayor designee, acting as the fiscal agent for the Eleventh Judicial Circuit of Florida (the Court) pursuant to Resolution No. R-79-03, in applying for grant funds from SAMHSA, in the amount of \$2,000,000.00 for the Project, with a Project term of 5 years, ending September 30, 2028.
- Authorizes the County Mayor or the County Mayor's designee, as fiscal agent for the Court, to execute any amendments to the grant application; to receive and expend the grant funds that were awarded in response to this application (the award letter is attached hereto as Attachment A); to execute such agreements and documents as may be required by program guidelines for the Project; and to exercise all provisions set forth therein, including termination and modification clauses of any such contracts and agreements, all of which are subject to the County Attorney's Office's approval for form and legal sufficiency.
- Authorizes the County Mayor or the County Mayor's designee, as fiscal agent for the Court, to apply for, receive, and expend additional future funds that may become available for the Project, for up to 10 years if they become available for this purpose; to execute such agreements and documents as may be required by the County to act as fiscal agent for the Court with respect to such future available funds, subject to subsequent approvals

by this Board if such agreements or documents propose to commit funding from the County, and after review by the County Attorney's Office for form and legal sufficiency; and to exercise the provisions set forth therein, including termination and modification clauses of any such contracts and agreements.

Scope

The scope of this agenda item is countywide in nature.

Delegation of Authority

The County Mayor or County Mayor's designee is retroactively approved and authorized to act as the fiscal agent for the Court in submitting the grant application for the Project in accordance with Resolution No. R-79-03. In addition, the County Mayor or County Mayor's designee is authorized to: execute any amendments to the grant application; receive and expend the grant funds awarded for the Project; execute such agreements and documents as may be required by program guidelines for the Project, and to exercise all provisions set forth therein, including termination and modification clauses of any such documents, provided that such modifications do not alter the purpose of the Project; as fiscal agent, apply for, receive, and expend additional future funds that may become available for the Project for up to 10 years should they become available and execute such agreements and documents as may be required with respect to such future available funds for the Project, and to exercise all terms set forth therein, including termination and modification clauses of any such documents, provided that such modifications do not alter the purpose of the Project.

Fiscal Impact/Funding Source

The grant request is for \$2,000,000.00. There is no fiscal impact to the County to serve as the fiscal agent of the Court for the Project, which does not require matching funds.

Track Record/Monitor

The Office of Management and Budget-Grants Coordination Division (OMB-GCD) and Court have an extensive history of managing grant projects and will coordinate Project implementation and management. Alan Tiano in OMB-GCD will monitor the Project and serve as liaison with SAMHSA. The Court will handle project drawdowns through SAMHSA, in concert with the County's Finance Department; process the disbursement and expenditure of grant funds; and manage programmatic and fiscal reporting in accordance with Project reporting and auditing procedures stipulated by SAMHSA.

Background

In March of 1999, the Miami-Dade County Dependency Drug Court (DDC) was established in response to the overwhelming number of substantiated child abuse and neglect cases in the County involving substance abuse by a parent or guardian. The creation of DDC also responded to the 1997 requirements of the Adoption and Safe Families Act, which was enacted to decrease the amount of time children spent in non-permanent placement settings.¹ The rationale remains that children need permanent placement to establish trusting relationships. Empirical research supports family preservation models, and reunification remains a key element of DDC. This problem-solving court (PSC) is designed to address the treatment needs of parents and to increase the chances of reunification with their children, while ensuring children obtain evidence-based services. It addresses the parental substance use and child neglect connection in a timely manner and promotes family reunification with children being raised in stable, permanent homes.

¹ The Adoption and Safe Families Act of 1997, 42 U.S.C. 670-679.

The goal of the Project is to improve the current infrastructure by providing evidence-based family intervention and a trauma-informed community of care, thereby increasing the resources available to DDC participants and their children. A significant volume of research indicates that individuals who abuse drugs or alcohol have a history of exposure to trauma. For parents engaged in the dependency system, the problem is compounded as the permanency, safety and wellbeing of children are brought to the forefront.

The Court will use this five-year grant to expand and enhance the capacity of the local child welfare continuum of care by referring parents in DDC to family therapy and Seeking Safety treatment (a best practice model that uses present-focused, coping skills therapy to help people attain safety from trauma and/or substance abuse); utilizing therapists trained in early childhood development and cognitive behavioral therapy to provide Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) to children in DDC; training the clinical supervisor and therapists on providing Multidimensional Family Therapy; and providing training on the principles of trauma-informed care and positive family systems to the DDC multi-disciplinary team, including the presiding judge, program coordinator, case workers, prosecuting and defense attorneys, while strengthening the bridge of communication between providers to ensure the best approach is taken through proactive interagency information sharing.

The short turnaround time imposed by SAMHSA's application deadline did not allow sufficient time for the processing of the resolution and its submission to the Board prior to submission of the grant application.

Attachment



Carladenise Edwards
Chief Administrative Officer



Department of Health and Human Services
 Substance Abuse and Mental Health Services Administration
 Center for Substance Abuse Treatment

Notice of Award
 FAIN# H79TI086230
Federal Award Date
 09/08/2023

Recipient Information

1. Recipient Name

COUNTY OF MIAMI DADE
 111 NW 1ST ST
 FL 26
 MIAMI, FL 33128

2. Congressional District of Recipient

24

3. Payment System Identifier (ID)

1596000573B4

4. Employer Identification Number (EIN)

596000573

5. Data Universal Numbering System (DUNS)

131910254

6. Recipient's Unique Entity Identifier

G4FMKKEM5CH5

7. Project Director or Principal Investigator

Diana Diaz , MS

ddiaz@jud11.flcourts.org
 305-375-5218

8. Authorized Official

Mr. Daniel Wall
 dtw@miamidade.gov
 305-375-4742

Federal Agency Information

9. Awarding Agency Contact Information

Aina Halili
 Grants Specialist
 aina.halili@samhsa.hhs.gov
 240-276-2820

10. Program Official Contact Information

Lloyd Roberts
 Program Official
 Lloyd.Roberts@samhsa.hhs.gov
 240-276-0435

Federal Award Information

11. Award Number

1H79TI086230-01

12. Unique Federal Award Identification Number (FAIN)

H79TI086230

13. Statutory Authority

Section 509 (42 USC 290bb-2) of the PHS Act, as amended

14. Federal Award Project Title

Miami-Dade County Dependency Drug Court Response to Family Treatment Needs
 Expansion Project

15. Assistance Listing Number

93.243

16. Assistance Listing Program Title

Substance Abuse and Mental Health Services_Projects of Regional and National
 Significance

17. Award Action Type

New Competing

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date 09/30/2023 – End Date 09/29/2024

20. Total Amount of Federal Funds Obligated by this Action	\$400,000
20a. Direct Cost Amount	\$393,721
20b. Indirect Cost Amount	\$6,279

21. Authorized Carryover

22. Offset

23. Total Amount of Federal Funds Obligated this budget period \$400,000

24. Total Approved Cost Sharing or Matching, where applicable \$0

25. Total Federal and Non-Federal Approved this Budget Period \$400,000

26. Project Period Start Date 09/30/2023 – End Date 09/29/2028

**27. Total Amount of the Federal Award including Approved Cost
 Sharing or Matching this Project Period** \$400,000

28. Authorized Treatment of Program Income

Additional Costs

29. Grants Management Officer - Signature

LeSchell D Browne

30. Remarks

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



SAMHSA Treatment Drug Courts
Department of Health and Human Services
Substance Abuse and Mental Health Services Administration
Center for Substance Abuse Treatment

Notice of Award

Issue Date: 09/08/2023

Award Number: 1H79TI086230-01

FAIN: H79TI086230

Program Director: Diana Diaz MS

Project Title: Miami-Dade County Dependency Drug Court Response to Family Treatment Needs Expansion Project

Organization Name: COUNTY OF MIAMI DADE

Authorized Official: Mr. Daniel Wall

Authorized Official e-mail address: dtw@miamidade.gov

Budget Period: 09/30/2023 – 09/29/2024

Project Period: 09/30/2023 – 09/29/2028

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$400,000 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to COUNTY OF MIAMI DADE in support of the above referenced project. This award is pursuant to the authority of Section 509 (42 USC 290bb-2) of the PHS Act, as amended and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Award recipients may access the SAMHSA website at www.samhsa.gov (click on "Grants" then SAMHSA Grants Management), which provides information relating to the Division of Payment Management System, HHS Division of Cost Allocation and Postaward Administration Requirements. Please use your grant number for reference.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,
LeSchell D Browne
Grants Management Officer
Division of Grants Management

See additional information below

SECTION I – AWARD DATA – 1H79TI086230-01**Award Calculation (U.S. Dollars)**

Travel	\$5,796
Supplies	\$959
Contractual	\$380,931
Other	\$6,035
 Direct Cost	 \$393,721
Indirect Cost	\$6,279
Approved Budget	\$400,000
Federal Share	\$400,000
Cumulative Prior Awards for this Budget Period	\$0
 AMOUNT OF THIS ACTION (FEDERAL SHARE)	 \$400,000

SUMMARY TOTALS FOR ALL YEARS	
YR	AMOUNT
1	\$400,000
2	\$400,000
3	\$400,000
4	\$400,000
5	\$400,000

Note: Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.243
EIN: 1596000573B4
Document Number: 23TI86230A
Fiscal Year: 2023

IC	CAN	Amount
TI	C96N306	\$400,000

IC	CAN	2023	2024	2025	2026	2027
TI	C96N306	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000

TI Administrative Data:

PCC: DC-AD23 / OC: 4145

SECTION II – PAYMENT/HOTLINE INFORMATION – 1H79TI086230-01

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services,

SECTION III – TERMS AND CONDITIONS – 1H79TI086230-01

This award is based on the application submitted to, and as approved by, SAMHSA on the above-title project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- a. The grant program legislation and program regulation cited in this Notice of Award.
- b. The restrictions on the expenditure of federal funds in appropriations acts to the extent those restrictions are pertinent to the award.
- c. 45 CFR Part 75 as applicable.
- d. The HHS Grants Policy Statement.
- e. This award notice, INCLUDING THE TERMS AND CONDITIONS CITED BELOW.

Treatment of Program Income:

Use of program income – Additive: Recipients will add program income to funds committed to the project to further eligible project objectives. Sub-recipients that are for-profit commercial organizations under the same award must use the deductive alternative and reduce their subaward by the amount of program income earned.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

SECTION IV – TI SPECIAL TERMS AND CONDITIONS – 1H79TI086230-01**REMARKS****New Award - SAMHSA Treatment Drug Courts**

This Notice of Award (NoA) is issued to inform your organization that the application submitted through the funding opportunity TI-23-007, Grants to Expand Substance Use Disorder Treatment Capacity in Adult and Family Treatment Drug Courts, has been selected for funding.

The purpose of this program is to expand substance use disorder (SUD) treatment and recovery support services in existing drug courts. The program recognizes the need for treatment instead of incarceration for individuals with SUDs. These awards provide a continuum of care, including prevention, harm reduction, treatment, and recovery services, for individuals with SUD involved with the courts. Harm reduction services funded under this award must adhere to federal, state, and local laws, regulations, and other requirements related to such programs or services.

Award recipients will be expected to screen and assess clients for the presence of SUD and/or co-occurring substance use and mental disorders, screen for infectious diseases for which those with SUDs are at high risk and provide evidence-based and population appropriate harm reduction, treatment, and recovery support services. SAMHSA Treatment Drug Courts awards are authorized under Section 509 (42 U.S.C 290bb-2) of Public Health Service Act, as amended.

Policies and Regulations – Accepting a grant award or cooperative agreement requires the recipient organization to comply with the terms and conditions of the NoA, as well as all applicable Federal Policies and Regulations. This award is governed by the Uniform Guidance [2 Code of Federal Regulations \(CFR\) § 200](#) as codified by HHS at [45 CFR § 75](#); Department of Health and Human Services (HHS) [Grants Policy Statement](#); SAMHSA [Additional Directives](#); and the [Standard Terms and Conditions](#) for the fiscal year in which the grant was awarded.

Key Personnel – are staff members who must be part of the project regardless of whether they receive a salary or compensation from the project. These staff members must make a substantial contribution to the execution of the project and should reflect SAMHSA’s expectation of diversity, equity, and inclusion in the selection of staff.

The key personnel for this program will be:

- **Project Director with a minimum level of effort of 0.20 FTE.**

The Key Personnel identified in your application has not been approved by SAMHSA. Your assigned GPO will confirm approval via eRA Correspondence within 60 days of receipt of this NoA. If SAMHSA’s review of the Key Personnel results in the proposed individual not being approved or deemed not qualified for the position, the organization will be required to submit a qualified candidate for the Key Personnel position. SAMHSA will not be liable for any related costs incurred on this grant award.

The identified PD for this program is listed in item #7 “Project Director or Principal Investigator” on the cover page of the NoA. If the individual identified on the NoA is incorrect, you must notify your assigned Government Project Officer (GPO) and Grants Management Specialist (GMS) via email immediately and plan to submit a post award amendment for a change in key personnel via eRA Commons.

Key personnel or other grant-supported staff may not exceed 100% level of effort across all federal and non-federal funding sources.

Any changes to key staff, including level of effort involving separation from the project for more than three months or a 25 percent reduction in time dedicated to the project, requires prior approval, and must be submitted as a post-award amendment in eRA Commons. Refer to SAMHSA’s website for more information on submitting a [key](#)

[personnel change](#). See [SAMHSA PD Account Creation Instructions](#) for a quick step-by-step guide and [SAMHSA Grantee PD Account Creation Slides](#) for additional information on the eRA Commons registration process for the PD.

Funding Limitations – SAMHSA reserves the right to disallow costs under this grant award at any time during the award project period. Award recipients are responsible for ensuring that costs allocated to the grant award are reasonable and allowable in accordance with the [Funding Opportunity Announcement](#) and all applicable Policies & Regulations.

The Cost Principles that delineate the allowable and unallowable expenditures for HHS recipients are described in the [Code of Federal Regulations](#). Funding Limitations and Restrictions are listed in the [Notice Funding Opportunity Announcement](#). You may also reference the SAMHSA grantee guidelines on [Financial Management Requirements](#).

Unallowable Costs – Recipients must exercise proper stewardship over Federal funds and ensure that costs charged to awards are allowable, allocable, reasonable, necessary, and consistently applied regardless of the source of funds according to the “Factors affecting allowability of costs” per [2 CFR § 200.403](#) and the “Reasonable costs” considerations per [2 CFR § 200.404](#). A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

Supplanting – “Supplement Not Supplant” grant funds may be used to supplement existing activities. Grant funds may not be used to supplant current funding of existing activities. “Supplant” is defined as replacing funding of a recipient’s existing program with funds from a federal grant.

Award Payments – Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). First time PMS users must obtain access to view available funds, request funds, or submit reports. Users will need to request permission and be approved by PSC. Inquiries regarding payments should be directed to PMS by emailing the helpdesk at PMSSupport@psc.hhs.gov or call 1-877-614-553. You should also visit the PSC website for more information about their services - <https://pms.psc.gov/>

Special Terms & Conditions of Award – There may be special terms and conditions associated with your grant award. Recipients must address all special terms and conditions by the reflected due date. See the **Special Terms of Award** and **Special Conditions of Award** sections below for the specific terms and conditions associated with your grant award. A recipient's failure to comply with the terms and conditions of award, may cause SAMHSA to take one or more actions, depending on the severity and duration of the non-compliance. SAMHSA will undertake any such action in accordance with applicable statutes, regulations, and policies.

Responding to Award Terms & Conditions – All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions or how to submit a post award amendment request please refer to <https://www.samhsa.gov/grants/grants> training-materials under the heading “Grant Management Reference Materials for Grantees.”

Prior Approval Requirements – Prior approval is required for the following changes to your grant award: Changes in the status of the Project Director, or other key personnel named in the NoA; Changes in scope; Significant re-budgeting and Transfer of substantive programmatic work; Carryover of unobligated balances; Change of grantee organization; Deviation from award terms and conditions; No-cost extension and Transfer of substantive programmatic work. A full list of actions requiring prior approval can be found on page II-49 of the HHS [Grants Policy Statement](#) Exhibit 5 (Summary of Actions Requiring OPDIV Prior Approval). **All prior approval actions must be submitted as post award amendment requests in eRA Commons.**

Post Award Amendments – If information on the NoA needs to be changed, it will require approval from the federal agency before the grant recipient can implement the modification. Please refer to the SAMHSA website for specific SAMHSA guidance on how to submit a post-award amendment in eRA Commons:
<https://www.samhsa.gov/grants/grants-management/post-award-amendments>

Primary Contacts

- For technical support, contact [eRA Service Desk](#) at 866-504-9552 (Press 6 for SAMHSA Grantees).
- For budget and grants management related questions, contact your assigned GMS.
- For programmatic questions, contact your assigned GPO

Contact information for the GMS and GPO are listed on the last page of this NoA.

Training & Resources – Visit the following pages on our website for more information on implementation, monitoring and reporting on your new grant award:

- [Grants Management](#)
- [Training & Resources for recipients](#)
- [eRA Commons](#)

Adult Treatment Drug Court (PCC: DC-AD23)

SPECIAL TERMS

Funding Limitations/Restrictions

The funding restrictions for this project are below.

- No more than **15 percent** of the total award for the budget period may be used for developing the program infrastructure necessary for expansion of services.
- No more than **20 percent** of the total award for the budget period may be used for data collection, performance measurement, and performance assessment, including incentives for participating in the required data collection follow-up.

Be sure to identify these expenses in your proposed budget.

SAMHSA recipients must also comply with SAMHSA's standard funding restrictions, which are included in Appendix I – Standard Funding Restrictions.

Disparity Impact Statement (DIS)

By November 30, 2023, submit via eRA Commons a completed Disparity Impact Statement.

SAMHSA's Behavioral Health Disparity Impact Statement (DIS) is a data-driven, quality improvement approach to advance behavioral health equity for all. The DIS is a grant requirement that helps grantees identify racial, ethnic, sexual, and gender minority groups at the highest risk of experiencing behavioral health disparities within their grant projects and implement a disparity reduction action plan with a quality improvement process to address and close the identified gap(s). The DIS should be consistent with the Population of Focus and Statement of Need identified in the grant application and include the components as described below. Please refer to the DIS worksheet, examples, and other resources on the SAMHSA website at: <https://www.samhsa.gov/grants/grants-management/disparity-impact-statement>

The main components of the DIS are:

- Identify and describe the behavioral health disparity within the population of focus of the grant project that experience disparate access, use, and outcomes.
- Provide a demographic table of the proposed number of individuals to be served, reached, or trained in the grant project that covers the entire grant period. Identify the data sources used to support the rationale for how the determination of the disparity was made.
- Identify the social determinants of health (SDOH) domains and the Culturally and Linguistically Appropriate Services in Health and Health Care ([CLAS](#)) Standards that the grantee organization will work to address and improve for the identified population(s) of focus.
- Develop a disparity reduction quality improvement action plan to address behavioral health disparities based on the available data on access, use, and outcomes.

In accordance with the reporting requirements outlined in the Notice of Funding Opportunity (NOFO), the grantee is required to provide an update on the project's progress towards

addressing quality care of underserved populations related to the Disparity Impact Statement (DIS), barriers encountered, including challenges serving populations of focus, efforts to overcome these barriers; evaluation activities for tracking DIS efforts; and a revised quality improvement plan if the DIS does not meet the quality of care requirements as stated in the DIS.

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions**.

Project implementation

Project implementation is expected to begin by the fourth month of the award.

SPECIAL CONDITIONS

System for Award Management (SAM) Exclusions

By October 30, 2023 submit via eRA Commons.

SAMHSA has conducted a review of one or more of the key staff for this award (Authorized Organization Representative (AOR)), Project Director, Business Official, and Key Personnel identified on the SF-424 or required by the Funding Opportunity Announcement and included in the submitted application. A SAMHSA review of the General Services Administration System for Award Management (SAM) (<http://sam.gov>) has identified individual/individuals that is/are potentially excluded from participation in Federal programs or activities per 2 CFR Part 180.

Your organization must review and certify the person/s/ identified in the RESPONSE REGARDING POTENTIAL EXCLUDED INDIVIDUAL LETTER. If the individual is the same person, a prior approval request for a change in key personnel must be submitted because excluded individuals are not permitted to be involved with or receive payments under federal grant awards. Work performed by excluded (suspended or debarred) individuals is at the organizations own risk.

Failure to comply with this Special Condition of Award may result in SAMHSA initiating additional actions in accordance with 45 CFR 75.371, Remedies for noncompliance.

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions**.

RESPONSE REGARDING POTENTIAL EXCLUDED INDIVIDUAL LETTER

The response must be provided on your organization's letterhead.

RESPONSE REGARDING POTENTIAL EXCLUDED INDIVIDUAL

Name and role of individual in question: **Diana Diaz, Project Director**

Based on the entry of the name and address of the employee in question, into the SAM exclusions search, we found that he/she (check the appropriate response below):

_____ is not the same individual.

_____ is the same individual. A prior approval for a change in key personnel will be submitted following the instructions at: <https://www.samhsa.gov/grants/grants-management/post-award-changes/key-staff-level-effort>.

AOR Print Name/ Title/ Organization

AOR Signature/ Date

SAM Exclusion Search Instructions

1. Navigate to <https://sam.gov/content/exclusions>
2. Click on “**Advanced Search**”.
3. Click on the “**Excluded Individual**” drop down arrow.
4. Enter the full name of the individual (including middle name or middle initials) and click the “**Add Individual**” button. The result(s) will display on the right.
5. Click the hyperlinked name of the individual(s) returned in the search results to access more exclusion details for review.
6. If you have a street address for the individual, scroll down to the “**Verify Address**” section and enter the address to see if it is an exact match to either a primary or alternate address.
7. Click the “**Verify**” button and the system will indicate whether a match is found. “**No Match**” will be displayed if no match is found.
8. Click the “**Reset**” button to clear the address form and other address you may have for the individual and repeat step 8.
9. Complete the section “**RESPONSE REGARDING POTENTIAL EXCLUDED INDIVIDUAL**” on this Notice of Award Special Condition.

Revised SF-424 & Revised Budget

By **October 30, 2023**, submit via eRA Commons:

1. **Submit a revised SF-424** with the Project Director (PD) name and contact information listed in Section 8f and the Authorized Representative listed in Section 21. **Correct the amount on line 18-a to match to the amount listed in SF-424A, section 6 k.** The contact information for the Authorized Representative in Section 21 must match the name of the person who signs the SF-424 form. For instructions on how to complete the SF-424 form can be found at: <https://www.samhsa.gov/grants/how-to-apply/forms-and-resources>.

2. Submit a detailed Revised Budget with Narrative Justification addressing the items below:

C. Travel

Mandatory Grantee Meeting - \$5,796: Per the [FOA](#), Recipient meetings will be held virtually, and recipients are expected to fully participate in these meetings. If SAMHSA elects to hold an in-person meeting, budget revisions may be permitted.

In case that travel charges are for NADCP conference:

Funds requested in the travel category should be only for project staff. All the costs (Personnel, Travel, Supplies, Indirect Charges, Fringe Benefits, Equipment and Other) for consultants and contractors should be shown in the "Contractual" cost category (section F) along with consultant/contractor fees. Review your request and reduce the quantity and unit cost accordingly. Reallocate the difference in funds elsewhere for reasonable, allowable, and necessary grant costs/activities.

Furthermore, please ensure that the justification clearly identifies the necessity of the travel if it is not specifically required by the FOA. The narrative description should include the purpose of the travel and explain how it directly relates to the scope of work.

In situations where conference fees cover meals, it is important to minimize daily meal reimbursements. Please also adjust the meal costs for both the day of arrival and the day of departure.

F. Contractual

Family Resource Center of South Florida, INC (FRC)

Personnel - \$229,132: I noticed that all staff listed under the Personnel section for "Family Resource Center of South Florida" have been incorrectly marked as Key Personnel. According to the [FOA](#), the only required Key Personnel for this program is the Project Director, who has already been identified in the grant personnel section. Please ensure that the key personnel box is unchecked for the remaining staff listed under the Personnel section.

Staff Parking - \$2,520: Please ensure that the number of personnel eligible for reimbursement for parking expenses matches the number of staff listed in the personnel section. **Adjust the cost accordingly.**

Multidimensional Family Recovery Training (MDFR) to include the supervision component - \$20,000: Please provide a quote to support this charge. Provide additional justification for this cost to show how it align with the program goals and objectives.

Indirect Cost: If you have never had a federally approved IDC rate agreement, you may elect to charge the de minimis rate of 10% of modified total direct costs (MTDC). If you are eligible to charge the de minimis rate and elect to do so, please clearly state the following in your indirect cost narrative: ***“We have never had a federally approved IDC rate agreement with HHS or any other federal agency and elect to use the de minimis rate of 10 percent of modified total direct costs (MTDC).”***

Behavioral Science Research Institute - \$1,666.67/monthly or \$20,000.00/year: Please provide detailed breakdowns of materials, quantities, number of persons, cost per unit/hour, number of hours/levels of effort, or other relevant basis to show how arrived at \$20,000.00.

Other

NADCP Registration Fee - \$2,685: In cases where conference charges include meals, it is important to reduce the daily reimbursements for meals under the travel section.

J. Indirect Cost

Please review the calculation for indirect costs. The 10% De Minimis rate should be applied to the direct cost \$32,790 (\$393,721 - \$360,931).

Funding Limitations/Restrictions:

Your budget must reflect the funding limitations/restrictions specified in the Funding Opportunity Announcement ([FOA](#)). Include a narrative and separate budget for each year of the grant that shows the percent of the total grant award that will be used for Infrastructure Development. Be sure to include in the narrative for each funding limitations/restriction the specific line items from the various budget categories that make up the costs shown for each funding limitation/restriction.

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading ***How to Respond to Terms and Conditions.***

STANDARD TERMS AND CONDITIONS

Reporting Requirements

All SAMHSA recipients are required to collect and report certain data so that SAMHSA can meet its obligations under the Government Performance and Results (GPRA) Modernization Act of 2010. You must document your plan for data collection and reporting in your Project Narrative in response to Section E: Data Collection and Performance Measurement in [Section V](#) of this [NOFO](#)

Recipients are required to report performance on the following measures:

- number of individuals served
- diagnoses
- abstinence from substance use
- housing stability
- employment/education status
- social connectedness
- health/behavioral/social consequences
- access to treatment
- treatment(s) provided
- retention in treatment
- criminal justice involvement

This information will be gathered using a uniform data collection tool provided by SAMHSA. Recipients are required to submit data via SAMHSA's Performance Accountability and Reporting System (SPARS); and access will be provided upon award. An example of the required data collection tool (i.e., National Outcome Measures (NOMs) or NOMS client level services tool) can be found [here](#)). Data will be collected via an interview using this tool at three data collection points at baseline (i.e., the client's entry into the project), discharge, and six months post baseline. Recipients will be expected to do a GPRA interview on all clients for their specified unduplicated target number and are also expected to achieve a six-month follow-up rate of 80 percent. Data are to be submitted through the specific online data collection tool within seven days of data collection or as specified after award. GPRA training and technical assistance will be offered to recipients.

The collection of these data enables SAMHSA to report on key outcome measures relating to the program. In addition to these outcomes, performance measures collected by recipients will be used to demonstrate how SAMHSA's programs are reducing disparities in behavioral health access, retention, service use, and outcomes nationwide.

FTDC recipients will also be required to collect and report data on the children of parents and other family members participating in the FTDC, as well as family functioning outcomes such as:

- Number and type of services provided to children and additional family members.
- Number of children placed in out of home care.
- Re-entries to out of home care/foster care.
- Number of children reunited with parents after being removed from the home and placed in temporary placement.

This information will be included in the semi-annual progress report see [Section VI.3](#).

Performance data will be reported to the public as part of SAMHSA's Congressional Budget Justification.

Programmatic Progress Report

The **SAMHSA Treatment Drug Courts** recipients are required to submit a six-month progress report due no later than 30 days after the end of the second quarter (**March 30, 2024**) and an annual report is due within 90 days of the end of the budget period. A final

performance report must be submitted within 120 days after the end of the project period (**September 29, 2024**).

For this budget period Programmatic Progress Reports are due as follows:

- **Six Month Report – Due April 30, 2024**
- **Annual Report – Due December 28, 2024**

The progress reports must discuss project progress, barriers encountered, efforts to overcome these barriers, evaluation activities for tracking DIS efforts and a revised quality improvement plan if DIS does not meet quality of care requirements. More information will be provided by your assigned Government Project Officer.

A final performance report must be submitted within 120 days after the end of the project period. The final performance report must be cumulative and report on all activities during the entire project period.

The response to this term must be submitted as .pdf documents in eRA Commons. Please contact your Government Program Official (GPO) for program specific submission information.

Annual Federal Financial Report (FFR or SF-425)

All financial reporting for recipients of Health and Human Services (HHS) grants and cooperative agreements has been consolidated through a single point of entry, which has been identified as the Payment Management System (PMS). The Federal Financial Report (FFR or SF-425) initiative ensures all financial data is reported consistently through one source; shares reconciled financial data to the HHS grants management systems; assists with the timely financial monitoring and grant closeout; and reduces expired award payments. The FFR is required on an annual basis no later than 90 days after the end of each Budget Period. The FFR should reflect cumulative amounts. Additional guidance to complete the FFR can be found at <http://www.samhsa.gov/grants/grants-management/reporting-requirements>.

SAMHSA reserves the right to request more frequent submissions of FFRs. If so, the additional submission dates will be shown below.

Your organization is required to submit an FFR for this grant funding as follows:

- **By 12/28/2024**, submit the Federal Financial Report (FFR)/(SF-425).

The grant recipient staff member(s) responsible for FFR preparation, certification and submission of the FFR must either submit a request for New User Access or Update User Access to the FFR Module as applicable. Refer to the PMS User Access website <https://pms.psc.gov/grant-recipients/user-access.html> for information on how to submit a New User Access, Update User Access or Deactivate User Access. You can also view PMS' Video on how to request new user access @ <https://youtu.be/kdoqaXfiuIQ> and PDF resource with instructions on Requesting Access @ <https://pms.psc.gov/forms/New-User->

[Request Grantee.pdf](#)

Instructions on **how to submit a FFR via PMS** are available at <https://pmsapp.psc.gov/pms/app/help/ffr/ffr-grantee-instructions.html> (The user must be logged in to PMS to access the link). Updates to the FFR instructions effective 4/1/2022 are also available @ <https://pms.psc.gov/grant-recipients/ffr-updates.html>

While recipients must submit the FFR in PMS, the FFR can also be accessed by connecting seamlessly from the eRA Commons to PMS by clicking the “Manage FFR” link on the “Search for Federal Financial Report (FFR)” page in eRA Commons, which will redirect to PMS. SAMHSA will not accept FFRs submitted by email or uploaded as an attachment into eRA. To access the “Manage FFR” link in eRA Commons, the individual must be registered in eRA Commons and assigned the Financial Status Reporter (FSR) role for their organization. The individual assigned the FSR role is responsible for reporting the statement of grant expenditures for their organization. Refer to the [Managing User Accounts: Add or Remove Roles, Unaffiliate Account](#) document for instructions on how to assign a the FSR role.

If you have questions about how to set up a PMS account for your organization, please contact the PMS Help Desk at PMSSupport@psc.hhs.gov or 1-877-614-5533.

Note: Recipients will use PMS to report all financial expenditures, as well as to drawdown funds; SAMHSA recipients will continue to use the eRA Commons for all other grant-related matters including submitting progress reports, requesting post-award amendments, and accessing grant documents such as the Notice of Award.

Standard Terms for Awards

Your organization must comply with the Standard Terms and Conditions for the Fiscal Year in which your grant was awarded. The Fiscal Year for your award is identified on your Notice of Award. SAMHSA's Terms and Conditions Webpage is located at: <https://www.samhsa.gov/grants/grants-management/notice-award-noa/standard-terms-conditions>.

Reasonable Costs for consideration

Recipients must exercise proper stewardship over Federal funds and ensure that costs charged to awards are allowable, allocable, reasonable, necessary, and consistently applied regardless of the source of funds according to “Reasonable Costs” consideration per 2 CFR § 200.404 and the “Factors affecting allowability of costs” per 2 CFR § 200.403. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

Consistent Treatment of Costs

Recipients must treat costs consistently across all federal and non-federal grants, projects and cost centers. Recipients may not direct-charge federal grants for costs typically considered indirect in nature, unless done consistently. If part of the indirect cost rate, then it may not also be charged as a direct cost. Examples of indirect costs include (administrative salaries, rent, accounting fees, utilities, office supplies, etc.). If typical indirect cost categories are included in the budget as direct costs, it is SAMHSA's understanding that your organization has developed a cost accounting system adequate to justify the direct charges and to avoid an unfair allocation of these costs to the federal government. Also, note that all awards are subject to later review in accordance with the requirements of [45 CFR 75.364](#), [45 CFR 75.371](#), [45 CFR 75.386](#) and [45 CFR Part 75, Subpart F](#),

Audit Requirements.

Compliance with Award Terms and Conditions

FAILURE TO COMPLY WITH THE ABOVE STATED TERMS AND CONDITIONS MAY RESULT IN ACTIONS IN ACCORDANCE WITH [45 CFR 75.371](#), REMEDIES FOR NON-COMPLIANCE AND [45 CFR 75.372](#) TERMINATION. THIS MAY INCLUDE WITHHOLDING PAYMENT, DISALLOWANCE OF COSTS, SUSPENSION AND DEBARMENT, TERMINATION OF THIS AWARD, OR DENIAL OF FUTURE FUNDING.

All previous terms and conditions remain in effect until specifically approved and removed by the Grants Management Officer.

Staff Contacts:

Lloyd Roberts, Program Official

Phone: 240-276-0435 **Email:** Lloyd.Roberts@samhsa.hhs.gov

Aina Halili, Grants Specialist

Phone: 240-276-2820 **Email:** aina.halili@samhsa.hhs.gov



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 3(B)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(1)
12-12-23

RESOLUTION NO. _____ R-1049-23

RESOLUTION RETROACTIVELY APPROVING AND AUTHORIZING THE ACTION OF THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, ACTING AS FISCAL AGENT FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA ("THE COURT"), AS AUTHORIZED BY RESOLUTION NO. R-79-03, IN APPLYING FOR GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, IN THE AMOUNT OF \$2,000,000.00 FOR THE MIAMI-DADE COUNTY DEPENDENCY DRUG COURT RESPONSE TO FAMILY TREATMENT NEEDS EXPANSION PROJECT ("PROJECT"), FOR A PROJECT TERM ENDING NO LATER THAN SEPTEMBER 30, 2028; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, AS FISCAL AGENT FOR THE COURT, TO EXECUTE AMENDMENTS TO THE GRANT APPLICATION, RECEIVE AND EXPEND AWARDED GRANT FUNDS, EXECUTE SUCH AGREEMENTS AND DOCUMENTS THAT MAY BE NECESSARY FOR THE PROJECT, AND TO EXERCISE PROVISIONS SET FORTH THEREIN; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, AS FISCAL AGENT FOR THE COURT, TO APPLY FOR, RECEIVE, AND EXPEND ADDITIONAL FUTURE FUNDS, FOR UP TO 10 YEARS SHOULD THEY BECOME AVAILABLE FOR SAID PURPOSES, AND TO EXECUTE OTHER AGREEMENTS AND DOCUMENTS NECESSARY FOR THE RECEIPT AND EXPENDITURE OF SUCH FUNDS, AND TO EXERCISE PROVISIONS SET FORTH THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The matters contained in the foregoing recital and the accompanying County Mayor's memorandum are incorporated in this resolution by reference.

Section 2. This Board retroactively approves and authorizes the action of the County Mayor or the County Mayor's designee, acting as the fiscal agent for the Eleventh Judicial Circuit of Florida ("the Court"), and as authorized by Resolution No. R-79-03, in applying for grant funds from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, in the amount of \$2,000,000.00, for the Miami-Dade County Dependency Drug Court Response to Family Treatment Needs Expansion Project ("Project"), for a proposed Project term ending no later than September 30, 2028.

Section 3. This Board authorizes the County Mayor or the County Mayor's designee, acting as the fiscal agent for the Court, to execute any amendments to the grant application, and to receive and expend the grant funds that awarded for the Project, to execute any agreements and documents as may be required by program guidelines for the Project, following approval for legal form and sufficiency by the County Attorney's Office, and to exercise all provisions set forth therein, including termination and modification, provided such modifications do not alter the purpose of the Project.

Section 4. This Board also authorizes the County Mayor or the County Mayor's designee, acting as fiscal agent for the Court, to apply for, receive, and expend additional future funds that may become available for the Project, for up to 10 years from the effective date of this resolution should they become available for the purposes described in section 2 above, and to execute any agreements or documents necessary for the receipt and expenditure of such funds, subject to subsequent approvals by this Board if such agreements or documents propose to commit funding from Miami-Dade County (not to include in-kind match funding), and following approval for legal form and sufficiency by the County Attorney's Office. This Board further authorizes the County Mayor or County Mayor's designee to exercise all provisions set forth in such agreements

and documents, including termination and modification, provided that such modifications are consistent with the purposes described in section 2 above, and following approval for legal form and sufficiency by the County Attorney's Office.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	absent	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. LCK

Leigh C. Kobrinski