

STATE OF TEXAS)
COUNTY OF EL PASO)

AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN THE COUNTY OF EL PASO, TEXAS and THE CITY OF EL PASO, TEXAS
2016 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

On the ____ day of August, 2019, the County of El Paso, Texas (hereinafter called "County"), and the CITY OF EL PASO, a Texas municipality, (hereinafter called "Sub-Recipient") entered into an Interlocal Agreement including Sub-Recipient Policies and Procedures (attached hereto and made a part hereof for all purposes). The Parties now desire to amend the Agreement for good and valuable consideration specified herein. All sections of the Agreement not specifically amended herein shall remain in full force and effect.

1. **Section 8, shall be added as follows:**

Federal Award Number:	2016-DJ-BX-0732
Sub-Recipient's Name:	City of El Paso, TX
DUNN's Number:	58873019
Federal Award Announcement:	8/18/2016
Subaward Period of Performance:	10/1/15 to 9/30/2019
Total Amount of Award:	\$235,245.00

Federal Funds Obligated to Sub-recipient:	\$117,623.00
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Federal Project Description:	Funds will be used to purchase law enforcement equipment to enhance their equipment & expand in the area of technology to effectively serve the City of El Paso's residents.
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Name of Federal or State Awarding Agency:	Office of Justice Programs
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Pass-Through Entity:	County of El Paso, TX
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Contact Information for Awarding Official:	Ricardo A. Samaniego County Judge 500 E. San Antonio St. Room 301 El Paso, TX 79901 (915) 546-2098
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IN WITNESS WHEREOF, the parties execute this Amendment to Agreement which shall be effective on the _____ day of August, 2019.

COUNTY OF EL PASO

Dated: _____

By: _____
Ricardo A. Samaniego
County Judge

ATTEST: _____
Delia Briones
County Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Assistant County Attorney

Richard D. Wiles, Sheriff
El Paso County Sheriff's Office
County of El Paso, Texas

CITY OF EL PASO

Dated: _____

By: _____

Tomàs Gonzalez
City Manager

ATTEST: _____

City Clerk

Approved as to form:

APPROVED AS TO CONTENT:

Assistant City Attorney

Gregory Allen, Chief of Police
El Paso Police Department
City of El Paso, Texas

SUBRECIPIENT MONITORING POLICY AND PROCEDURES

According to 2 CFR 200.330, a subrecipient is an entity that receives a subaward for the purpose of carrying out a portion of the actual federal award. The requirements for subrecipient monitoring are found under 2 CFR 200.331. El Paso County is responsible for monitoring the programmatic and financial activities of the grant award subrecipients to ensure proper use of federal and state funds. The following policy, roles, and procedures define the responsibilities of the County to ensure that, in addition to achieving performance goals, subrecipients comply with applicable federal and state laws and regulations, and with the provisions of grant award special conditions.

The County being the direct recipient of the federal award is required to provide evidence of due diligence in reviewing the ability of a subrecipient to properly meet the objectives of the sub award and account for the use of the grantor's funds.

The County's responsibilities according to 2 CFR 200.331 include the following:

☐ The Grants Administration under El Paso County Budget and Fiscal Policy Department is responsible for the submittal of the grant applications to the awarding agencies. They are responsible to collaborate with a subrecipient's application narrative, goals of the subaward, and the subrecipient's grant budget.

☐ Grants Administration needs to ensure that a Memorandum of Understanding or Interlocal Agreement is executed and that every subaward is clearly identified to the subrecipient as a subaward. Required information includes: Federal award identification number, subrecipient name, subrecipient's unique entity identifier (DUNS number), Federal award date, subaward period of performance (start and end dates), total amount of grant award, total amount of Federal funds obligated to the subrecipient, Federal award project description as required by the Federal Funding Accountability and Transparency Act (FFATA), name of Federal or State awarding agency, pass-through entity, contact information for awarding official, CFDA number and name. All requirements imposed by the County on the subrecipient are to ensure the Federal or State award is used in accordance with Federal or State Statutes, regulations and the terms and conditions of the award. The subrecipient must allow access to their records and financial statements as needed to ensure compliance.

☐ Grants Administration will monitor and coordinate with the subrecipient to compile and ensure that the programmatic progress reports are submitted on time to the awarding agencies. In addition, Grants Administration will participate in the annual subrecipient's monitoring visits.

☐ The Grants Compliance-Reporting-Audit division (Grants division) under the County Auditor's Office will:

- Evaluate each subrecipient's risk of noncompliance with Federal and State statutes, regulations and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring. Evaluation can include reviewing the subrecipient's prior experience with the same or similar awards, results of previous audits which could include the subrecipient's single audit as required by Subpart F of the Uniform Guidance. Based on the review the subrecipient will be determined either low, medium or high risk. See attachment Z for risk assessment for subrecipient checklist. Depending upon the risk assessed, the County may decide to perform periodic on-site reviews to ensure compliance with the program requirements and achievement of performance goals.

- Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes. Monitoring can include reviewing financial and performance reports and following up on previous deficiencies identified by the pass-through entity during previous audits. This can also include a review of financial policies and procedures and internal controls.
- Verify that every subrecipient is audited as required by Sub-part F- Audit requirements when threshold is exceeded.
- Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the County's own records.
- Consider taking enforcement action against noncompliant subrecipients as described in 2 CFR 200.338 Remedies for noncompliance.
- Compile financial data and submit the required billings, quarterly financial reports and FFATA requirements.

The County will make every effort to ensure the subrecipient's proper use of Federal and State funds. In addition, regular communication with the subrecipient contact person is required. All invoices submitted for reimbursement by the subrecipient will be reviewed. At a minimum, an annual subrecipient site visit will be performed. After the site visit is performed, an official letter detailing the results will be issued to the subrecipient explaining the items that were reviewed and any findings related to the subrecipient compliance.