



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: November 26, 2013
Subject: Grant/Position Requests

Enclosed please find four (4) items that the Joint Fiscal Office has received from the administration. Three limited service positions are associated with these items.

JFO #2651 – Request to establish **one (1) limited service position** in the Department of Fish and Wildlife. This position will be responsible for updating and maintaining the Department's database of information relating to rare, threatened, and endangered species. This information is used for conservation planning, land acquisitions, environmental regulatory review, and other research. Funding for this position is available through an existing federal grant.

[JFO received 11/20/13]

JFO #2652 – Request to establish **one (1) limited service position** in the Department of Fish and Wildlife. This position will provide perform various duties in service to the Bat Maternity Colony Technical Assistance Program. The program is a response to the impact of White Nose Syndrome on certain bat populations. The position will provide technical assistance, including educating homeowners about the risks and benefits of bat colonies, as well as working with homeowners to exclude bats from their homes. Funding for this position is available through an existing federal grant.

[JFO received 11/20/13]

JFO #2653 – \$710,941 grant from the U.S. Dept. of Commerce to the Vermont Department of Public Safety. These funds will be used to support Vermont's participation in the development of a national public safety broadband communications network. In Vermont, this work will consist of planning, developing, and implementing an interoperable wireless network to support the communication needs of first responders and other public safety operations. **One (1) limited service position** is associated with this request.

[JFO received 10/25/13]

JFO #2654 – \$130,000 grant from Salvation Farms, Inc. to the Vermont Department of Corrections. These funds will be used to convert a building at Southeast State Correctional Facility into a food processing facility that will process large volumes donated surplus crops. Inmate labor will process the crops and make the food available to Vermont food banks. **Expedited review has been requested. Joint Fiscal Committee members will be contacted by December 10th with a request to waive the balance of the review period and accept this grant.**

[JFO received 10/25/13]

Please review the enclosed materials and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; nlavery@leg.state.vt.us) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by December 10 we will assume that you agree to consider as final the Governor's acceptance of these requests.



State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
 [fax] 802-828-2428

Agency of Administration

JFO 2653

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		To support Vermont's participation in the development of a national public safety broadband communications network.			
Date:		11/07/2013			
Department:		Department of Public Safety - Criminal Justice Services (CJS)			
Legal Title of Grant:		Vermont's FY 2013 State and Local Implementation Grant Program (SLIGP)			
Federal Catalog #:		11.549			
Grant/Donor Name and Address:		National Telecommunications and Information Administration, Wash. D.C.			
Grant Period:		From:	To:		
		8/1/2013	7/31/2016		
Grant/Donation					
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$219,512	\$241,963	\$249,466	\$710,941	
Position Information:		# Positions	Explanation/Comments		
		1	Project Manager-Limited Service position-description is attached.		
Additional Comments:					
Department of Finance & Management				11/21/13	(Initial)
Secretary of Administration				11/21/13	(Initial)
Sent To Joint Fiscal Office				11/21/13	Date

RECEIVED
 NOV 25 2013
JOINT FISCAL OFFICE

DB 11-7-13



STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:				
2. Department:	Public Safety			
3. Program:	Criminal Justice Services			
4. Legal Title of Grant:	Vermont's FY 2013 State and Local Implementation Grant Program (SLIGP)			
5. Federal Catalog #:	11.549			
6. Grant/Donor Name and Address:				
National Telecommunications and Information Administration US Department of Commerce 1401 Constitution Ave., NW, Ste. 4897 Washington, DC 20230				
7. Grant Period:	From:	8/1/2013	To:	7/31/2016
8. Purpose of Grant:				
This grant is for the planning, development and implementation of an interoperable wireless network to support the communication needs of the first responders and public safety entities.				
9. Impact on existing program if grant is not Accepted:				
If this grant is not accepted, then Vermont will not be able to establish a statewide interoperable wireless public safety broadband network for police, fire fighters, emergency medical service professionals and other public safety officials in order to communicate during critical and significant events.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2014	FY 2015	FY 2016	
Personal Services	\$84,861	\$113,148	\$113,148	
Operating Expenses	\$193,896	\$188,060	\$195,563	
Grants	\$	\$	\$	
Total	\$278,757	\$301,208	\$308,711	
Revenues:				
State Funds:				
Cash	\$	\$	\$	
In-Kind	\$59,245	\$59,245	\$59,245	
Federal Funds:				
(Direct Costs)	\$160,267	\$182,718	\$190,221	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$59,245	\$59,245	\$59,245	
Other Funds:				
Grant (source)	\$	\$	\$	
Total	\$278,757	\$301,208	\$308,711	
Appropriation No:	2140028000		Amount:	\$710,941
				\$
				\$

OCT 10 2013

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

		\$
		\$
		\$
		\$
		\$
	Total	\$710,941

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: GW (initial)

12. Limited Service Position Information:	# Positions	Title
	1	Project Manager
Total Positions	1	

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):

Signature: John Word Date: 10/8/13
 Title: Commissioner

Signature: _____ Date: _____
 Title: _____

14. ACTION BY GOVERNOR

Check One Box: Accepted Rejected
 (Governor's signature) [Signature] Date: 11/20/13

15. SECRETARY OF ADMINISTRATION

Check One Box: Request to JFO Information to JFO
 (Secretary's signature or designee) [Signature] Date: 11/20/13

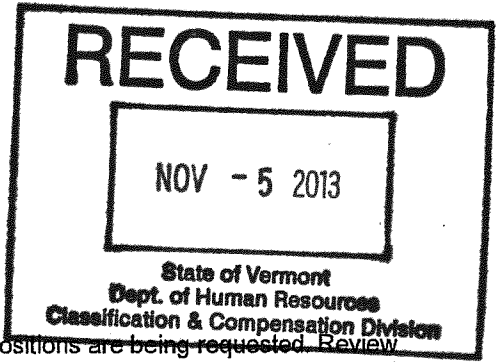
16. DOCUMENTATION REQUIRED

Required GRANT Documentation

- | | |
|---|---|
| <input checked="" type="checkbox"/> Request Memo | <input type="checkbox"/> Notice of Donation (if any) |
| <input type="checkbox"/> Dept. project approval (if applicable) | <input type="checkbox"/> Grant (Project) Timeline (if applicable) |
| <input checked="" type="checkbox"/> Notice of Award | <input type="checkbox"/> Request for Extension (if applicable) |
| <input checked="" type="checkbox"/> Grant Agreement | <input type="checkbox"/> Form AA-1PN attached (if applicable) |
| <input checked="" type="checkbox"/> Grant Budget | |

End Form AA-1

**STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form**



This form is to be used by agencies and departments when additional grant funded positions are being requested and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Vermont Department of Public Safety Date: 10/14/2013

Name and Phone (of the person completing this request): Francis X. Aumand III, Director, CJS 802-241-5488

Request is for:

- Positions funded and attached to a new grant.
- Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

U.S. Department of Commerce
2013 State and Local Implementation Grant Program (SLIGP)
Vermont's participation in the build out of the national public safety broadband network

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

<u>Title* of Position(s) Requested</u>	<u># of Positions</u>	<u>Division/Program</u>	<u>Grant Funding Period/Anticipated End Date</u>
Project Manager	1	Criminal Justice Services	From: 8/1/2013 To: 7/31/2016

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

We are requesting a limited service position for the three year life cycle of the grant. After consultation with Vermont's Public Safety Broadband Commission it was decided that a full time in state position would better serve the Commission's work in delivering the message of education and outreach functions as well as identifying the unique needs of our local public safety community.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

John Wood _____ Date 10/20/13
Signature of Agency or Department Head

Mohy Paul _____ Date 10/5/13
Approved/Denied by Department of Human Resources

[Signature] _____ Date 10/9/2013
Approved/Denied by Finance and Management

[Signature] _____ Date 11/15/13
Approved/Denied by Secretary of Administration

Comments:

Memo

To: To Whom It May Concern
From: Francis X. Aumand III, Director, Criminal Justice Services
cc:
Date: September 19, 2013
Subject: 2013 State and Local Implementation Grant Program (SLIGP)

This grant is being submitted for approval with a change from the original grant submission.

This grant is an award from the U. S. Department of Commerce for the purpose of participating in and planning for Vermont's participation in the build out of the national public safety broadband network. This grant is a formula based grant of which every state was awarded grant monies for the planning purposes.

Vermont's award is as follows.

Federal share -	\$710,941	
State Share -	<u>\$177,735</u>	(20% in kind match)
Total	\$888,676	

As a result of this initiative, the building of a public safety broadband network in Vermont, the Governor through Executive Order (05-13) established a Commission to oversee the planning and the spending of funds. This Executive Order placed administrative responsibility for the Commission and the project with the Department of Public Safety.

The original grant proposal called for the hiring of contractor to serve as a project manager for Vermont's planning effort. The original budget for this contractor was set at \$500,000.

After the grant was submitted a team from Vermont traveled to a workshop put on by the U.S. Department of Commerce. At this workshop it was learned there will be a tremendous amount of education and outreach needed with Vermont's public safety community to identify their broadband needs. The message of this new national network will have to be delivered at the grass roots level. The Vermont Commission members have since changed their thinking that a high paid contractor would not be the best solution to meet the unique needs of our local public safety community. A state employed project manager would better meet the needs of this project.

As a result of this shift in thinking the Department of Public Safety has filed a budget adjustment stating that it is our plan to hire a three (3) year limited service employee to serve as a project manager. We have reduced to \$140,000 the monies available for a contractor. This reduction is predicated upon the thinking that we may need some technical support but that a Vermonter will do the public education and outreach.

Finally, the Executive Order calls for mileage and per diem to be paid for Commission members if funds are available. The budget has been adjusted to reflect mileage and per diem. There also is a line item in the budget to hire temporary employees who will assist the state's project manager in travelling to local communities to deliver the message associated with this national network.

The theme throughout this budget adjustment is that our message can and should be delivered by individuals who are as close to the local communities as possible.

**By-Laws of the
Vermont Public Safety Broadband Network Commission (PSBN Commission)**

INTRODUCTION

Congress has enacted The Middle Class Tax Relief and Job Creation Act of 2012, (Act) containing landmark provisions to create a much-needed nationwide interoperable broadband network that will help police, firefighters, emergency medical service professionals and other public safety officials stay safe and do their jobs and created FirstNet, the authority within the National Telecommunications and Information Administration (NTIA) to oversee development of this network. The Act requires FirstNet to consult with state and local stakeholders to ensure coordinated development, construction, management, maintenance, and operation of the network.

The Vermont Public Safety Broadband Network Commission is committed to cooperatively address the challenges associated with the planning and development of interoperable wireless public safety broadband network, and do so in a timely and cost effective manner to ensure that the citizens of Vermont benefit from this system as soon as possible.

PURPOSE

The purpose of the Commission is to ensure and/or facilitate the planning and outreach, the building, deployment and operation of a statewide interoperable wireless public safety broadband network that meets the interoperability goals and specifications of the FirstNet nationwide public safety broadband network, pursuant to Title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (Act), Pub. L. No. 112-96, 126 Stat. 156 (2012).

AUTHORITY

The Public Safety Broadband Commission is authorized by Executive Order Number 05-13 signed by the Honorable Peter Shumlin, Governor of the State of Vermont. The executive order was signed on April 30, 2013 and will expire on July 15, 2019.

OUTCOMES

The Commission shall be responsible for, and in conjunction with FirstNet, the state planning process associated with the development of a public safety broadband network. The planning process must include input from Vermont's first responders and stakeholders. The Commission shall advise the Governor on issues related to the public safety broadband network. In addition, the Commission shall report to the Governor annually on implementation of the public safety broadband network in Vermont and nationally, and shall include information regarding the use of grant money received in Vermont for the purpose of building a public safety broadband network. The report shall also include information regarding how the completed system will be built, operated and sustained.

SCOPE

The Commission shall be responsible for determining the State's interest in the design, planning, development and operation of an interoperable wireless public safety broadband network, using existing infrastructure and such infrastructure as may be deployed for this purpose alone.

The Commission shall advise FirstNet and the Governor on issues related to the public safety broadband network. In addition, the Commission shall report to the Governor annually on implementation of the public safety broadband network.

The Commission shall receive and expend grant funds in accordance with the goals of this project consistent with relevant state and federal guidelines for such funding.

Administrative support for the Commission shall be provided by the Department of Public Safety.

OPERATING PRINCIPLES

The Commission shall operate following all applicable state and federal laws.

The Commission shall follow all applicable policies and procedures of the executive branch of the State of Vermont, including all procurement policies of the State of Vermont and federal grant requirements.

The Commission shall work towards consensus in making decisions. When consensus cannot be achieved a vote shall be taken. Issues shall be studied and debated before the Commission sufficient to ensure that the Commission speaks with one voice on issues. The Chair shall represent the Commission.

No member or representative shall engage in any conduct that is disloyal, disruptive, or damaging to the Commission. No member or representative shall take any action or establish any interest that compromises his or her ability to represent the Commission. All Commission members shall adhere to the Executive Code of Ethics as adopted in Executive Order No. 09-11 and signed by the Honorable Peter Shumlin on July 21, 2011.

A member shall disclose a conflict or potential conflict as soon as he/she recognizes the conflict. If self-disclosure is not revealed, the Commission Chair or any member of the Commission can, prior to voting on a specific matter in which a potential conflict exists, inquire whether any member of the Commission desires to abstain from voting because of a conflict of interest. If no conflict of interest is disclosed but the Chair or any other member of the Commission states the opinion that such a conflict exists and the challenged Commission member refuses to abstain from the deliberations or voting is requested, the Chair shall immediately call for a vote of the Commission members to determine whether the challenged member or is in a conflict of interest. If a simple majority of those voting members present vote to require abstention of the challenged member that member shall not be permitted to

vote. If the conflict of interest involves the Chair the Vice-Chair shall assume the role of calling for a vote to determine if a conflict of interest exists.

To the extent funds permit, voting members not otherwise employed by the State of Vermont shall receive reimbursement of expenses and per diem as permitted by 32 V.S.A. § 1010(e). Grant funds received for the purposes of carrying out the provisions of the Middle Class Tax Relief and Job Creation Act of 2012 shall only be used to fund the reimbursement of expenses and per diem's.

MEMBERSHIP

The Commission shall consist of at least eleven voting representatives appointed by the Governor and up to ten additional non-voting representatives recommended for appointment by the Commission.

Representatives shall serve three year terms or until their successors are appointed.

The voting representatives shall include:

- (A) representatives from the Department of Public Safety including a representative from the Division of Vermont Emergency Management/Homeland Security, a representative from the Vermont State Police, a technical advisor and/or an at large member;
 - a. The Department of Public Safety shall have up to four (4) voting members
- (B) representatives from local police, fire, and Emergency Medical Services,
 - a. Local police, fire and Emergency Medical Services shall have up to three (3) voting members.
- (C) a representative from ConnectVT and/or the Agency of Commerce and Community Development,
 - a. Connect VT and/or the Agency of Commerce and Community Development shall have one (1) voting member.
- (D) a representative from the Department of Information and Innovation,
 - a. The Department of Information and Innovation shall have one (1) voting member,
- (E) a representative from the Vermont Telecommunications Authority,
 - a. The Vermont Telecommunications Authority shall have one (1) voting member.
- (F) a representative from the Department of Public Service,
 - a. The Department of Public Service shall have one (1) voting member.

(G) a representative from the Department of Buildings and General Services, and
a. The Department of Buildings and General Services shall have one (1) voting member.

(H) a representative from the Agency of Transportation.
a. The Agency of Transportation shall have one (1) voting member.

(I) A representative from the Enhanced 9-1-1 Board.
a. The Enhanced 9-1-1 Board shall have one (1) voting member.

Additional non-voting representatives may be recommended by the Commission for appointment by the Governor or may be asked to participate by the Commission.

All members shall serve for three (3) terms or until their successors are appointed.

The Commission shall establish, through its Chair, committees as necessary to carry out the work of the Commission.

Members of the Commission may send a proxy to meetings. The proxy or alternate who is sent to the Commission meetings on behalf of the voting member may vote as if the member was present.

The Governor shall appoint a Chair of the Commission and the chair may select a Vice-Chair.

DECISION MAKING

The Commission, in the course of regular business, shall strive to make decision through consensus. Where consensus is not clear, most decisions will be made by a simple majority vote of the members present.

Contractual issues or other issues requiring the commitment of funds shall require 2/3 majority vote of all voting members/representatives.

The adoption of the by-laws shall require a simple majority vote of all voting members/representative.

Any member may suggest changes in the by-laws. After a discussion a vote of the entire voting members/representatives must be taken and a 2/3 majority of the entire voting members/representative must be made to affirm the change.

Any member may suggest the formation of a committee and after discussion if no consensus is achieved a simple majority vote of the members present shall be taken as whether or not the committee shall be formed.

LOGISTICS

The Commission and/or its committee's shall meet monthly at the call of the Chair and at the place designated by the Chair. Meetings of the Commission, once formed, shall be public and noticed accordingly.

Whenever necessary for order Robert's Rules of Order shall be followed.

The Vermont Department of Public Safety shall provide administrative support to the Commission. Minutes of meetings shall be kept and a roster of voting and non-voting members shall be maintained and distributed as necessary.

All grants and contracts shall be managed by the Vermont Department of Public Safety and shall be issued in the name of the Vermont Department of Public Safety.

These by-laws were adopted at a meeting of the Vermont Public Safety Broadband Network Commission held on August 14, 2013.

**Vermont Public Safety Broadband
Budget Narrative
Revised 6/14/13**

A. Personnel

The Vermont Public Safety Broadband Network Commission (Commission) will be aligned with the Vermont Department of Public Safety (DPS) for financial and programmatic support.

In-kind salary and salary for the following positions at the Vermont Department of Public Safety:

Director, Criminal Justice Services \$60,328 (In-kind salary, Match) – Mr. Francis Aumand is the Director of Vermont Criminal Justice Services and will chair the Commission. Mr. Aumand along with DPS Communications Manager Terry Lavallee will be responsible for overall management of the network once completed and therefore will be involved in the planning, education, coordination with Vermont stakeholders and outreach process.

Lieutenant, Vermont State Police \$35,280 (In-kind salary, Match) – Lieutenant Michael Manning, Vermont's SWIC and Homeland Security Chief will provide programmatic monitoring of SLIGP activities, engage in the planning, education and outreach in addition to coordinating all grant applications and contracting. LT Manning will also coordinate all SCIP updates.

Communications Manager, Criminal Justice Services \$34,310 (In-kind salary, Match) – DPS Communications Manager Terry Lavallee will be responsible for overall management of the network once completed and therefore will be involved in the planning, education, coordination with Vermont stakeholders and outreach process.

Grant Management Specialist \$10,242 (Salary) - Sara Small is a member of the DPS Administration and Finance Division and will be responsible for the grant's management, processing all invoices, the SLIGP budget and for submission of progress reports.

B. Fringe Benefits

The in-kind fringe benefits include the State's share of FICA, Retirement, Health Insurance, Life Insurance, Dental Insurance and Employee Assistance Program (EAP). Each rate (%) is calculated to include the varying level of insurance plans that the individual employee has selected.

Director, Criminal Justice Services 32% of in-kind salary (match) = \$19,305

Lieutenant, Vermont State Police 39% of in-kind salary (match) = \$13,759

Communications Manager, Criminal Justice Services 43% of in-kind salary (match) = \$14,753

Grant Management Specialist, Grants Management Unit 43% of salary = \$4,404

C. Travel

We will be sending up to ten people to the upcoming FirstNet conference in Boston which will be held June 19th & 20th 2013 (this is a pre-award cost). We will also need mileage reimbursement for travel throughout the state in order to outreach to Public Safety providers. We anticipate that we will need \$7500.00 for travel expenses.

D. Equipment

N/A

E. Supplies

We expect that supplies will be needed to help support the activities of Vermont's program to include the governance structure and public safety providers education and outreach. Office supplies and brochures will be needed. The intended audience for education and outreach will include police, fire and emergency medical services providers. It is difficult to identify the actual types of outreach materials that will be needed. However, we will need a budget to produce the necessary printed material when education is needed surrounding the build out of the new system.

We anticipate that we will need \$7,509 for office supplies and education and outreach material.

F. Construction

N/A

G. Contracts/Consultants

We will be seeking a competitive RFP for a Project Management firm to help the newly formed Vermont Public Safety Broadband Network Commission to do the following;

- (1) to expand our existing governance structures, helping Vermont to enact a functional form of governance;
- (2) to develop procedures to ensure local and tribal representation and participation in the consultation process with FirstNet;
- (3) create a process for education and outreach, through program development or through other efforts, among local and tribal officials, public safety users, and other stakeholders about the nationwide public safety broadband network;
- (4) identify potential public safety users of the public safety broadband network;
- (5) develop a standard Memorandum of Agreement (MOA) to facilitate the use of existing infrastructure with private sector entities that have been chosen by FirstNet to build, operate, and maintain the network on public safety infrastructure, or identified the legal barriers to creating a standard MOA and describe potential remedies;

(6) develop staffing plans that include local and tribal representation to participate in the public safety governance structure and to prepare for data collection activities in consultation with FirstNet; and

(7) prepare a comprehensive plan as part of their existing Statewide Communications Interoperability Plan (SCIP),

We estimate the contract to be \$503,551.

H. Other

I. Indirect

The Department of Public Safety is using the State of Vermont Department of Public Safety's federally approved Negotiated Indirect Cost Rate Agreement (NICRA) as the base for indirect costs. DPS's approved indirect rate is 27.30% however; for this grant we are only applying a rate of 25%. The total federal share of \$710,941.00 is the base for which the rate has been applied.

Note: The Department of Public Safety understands that one half of these federal funds will be held in reserve until Phase 2 begins.