

E911 Board Meeting Agenda  
Rosen Shingle Creek Hotel  
Orlando

**\*Special Note: Telephone conferencing will be available to allow county participation in meeting and to allow some Board members to participate telephonically when they cannot attend the meetings.**

Reservationless Conference Number (888) 670-3525  
Conference Code 2323004133

**Wednesday, July 10, 2013 through Thursday, July 11, 2013 Beginning Time 9:00 a.m. until conclusion of business**

1. Call to Order
2. Approve Meeting Minutes for the June 12-13, 2013 E911 Board Meetings
3. Discuss 2014/2015 Wireless Service Providers Cost Recovery Proposals
4. Old Business  
-Board Member Appointments
5. Discuss confidential data related to provider revenues by county, discrepancies, disbursements and provider invoices
6. Discuss the recommendation(s) and vote on items from confidential data
7. E911 Board Rules, Rule Development and Status Report
8. Discuss Potential 2013 State Grant Program Application and Rule
9. Discuss Rural County and State Grant Program Quarterly Reports and Change Requests
10. Discuss Fee Allocation Percentages and the Emergency Communications Number E911 System Fund (E911 Trust Fund)
11. Text-to-911 Presentations (beginning Thursday, July 11, 2013 at 9:00 a.m.)  
-Intrado Text-to-911 & Viper SMS Delivery  
-Telecommunication Systems, Inc. (TCS) Text-to-911
12. Discuss Strategic Initiatives

13. Other Business
  - \*Public Comments
  - \*Staff Reports

14. Adjourn

Chairman's Statement: The E911 Board welcomes comments from citizens and interested parties about any 911 issue(s) or concern(s). Your opinions are valued in terms of providing input to the E911 Board members.

The E911 Board reviews Public Comments at the end of the meeting agenda. However, the E911 Board may elect to receive Public Comments on any scheduled agenda item. Individuals wishing to speak before the E911 Board during the Public Comments portion of the meeting, or on scheduled agenda items, should register the issue on the "Issues List" provided at the sign-up table inside the meeting room. Telephone conference attendees should send an email request to [penney.taylor@dms.myflorida.com](mailto:penney.taylor@dms.myflorida.com).

**When addressing the Board**, please state your name and organization for the record and speak clearly into the microphone. Time permitting, five minutes may be allowed for each speaker.

# E911BOARD MEETING MINUTES

## **Meeting Dates:**

E911 Board Meetings  
June 11-13, 2013  
Renaissance Hotel  
St. Augustine

**Tuesday, June 11, 2013 beginning time 2:00 p.m. until conclusion of business**

**E911 Board Initiative Subcommittee Meeting to discuss initiative of the board and other related issues.**

## **Subcommittee Members in meeting attendance:**

Carolyn Dill-Collier, 911 Coordinator, St. Lucie County  
Charles "Chuck" Freeman, 911 Coordinator, Pinellas County  
Stan Greer, Area Manager – External Affairs, AT&T  
Benjamin "Ben" Guthrie, 911 Coordinator, Gulf County  
Ira Pyles, 911 Coordinator, Hillsborough County

## **Subcommittee Members participating by telephone conference:**

Sandra "Sandy" Khazraee, Regulatory Affairs Director, Southern Region, Century Link  
David "Dave" Konuch, Attorney, Florida Cable Telecommunications Association

## **Staff in meeting attendance:**

John Ford, Bureau Chief, DMS-Division of Telecommunications  
Wink Infinger, Statewide 911 Coordinator, DMS-Division of Telecommunications  
Clark Jennings, Legal Counsel, Office of the Attorney General  
Penney Taylor, Administrative Support, DMS-Division of Telecommunications

## **Public in meeting attendance:**

Todd Jones, CenturyLink  
Susan Nelson, Cassidian  
Pat Welte, Duval County

## **E911 Board Initiative Subcommittee Meeting Call to Order**

Meeting called to order at approximately 2:00 p.m.

The meeting started with staff announcing Board members participating as Subcommittee members.

Mr. Guthrie gave an overview of meeting intent. Subcommittee members gave a report on collection of input feedback from counties. Mr. Konuch reported that he was still awaiting input from other association members.

### Legislative Update

Jim Smith and Susan Masterson, Century Link representatives, provided an updated status on the 911 Bill and Public Records Bill.

Mr. Smith reported that minimal changes have been made to the Bill. One change modifies the Bill effective date from July 1<sup>st</sup> to the date that the Governor signs the Bill into Law.

Mr. Smith also reported that all groups were moving forward together to get Bills passed. Any controversial items would not be included in the Bill.

Other Initiative Subcommittee issues discussed:

- Liabilities
- Testing (Beta – Text Messaging)
- Text to IP Systems for direct screen display (service provider tie into a State VPN network for texting)
- IP Service redundancy
- Text to 911 Methodology
- Most Efficient Method to Transition
- Guidance – Recommendations to counties
- Information Gathering by Staff
- Next step after Boot Camp training
- State Training – Education
- Statewide NG-911 Routing
- Purpose of Initiatives Meeting
- Standards to provide services
- Composition of Board (to assure represented correctly)
- Initiatives (Top 5)
- Implementation Procedures
- Roles of Board and Coordinators – Staff Support
- Initiatives Priorities Review

**E911 Board Initiative Subcommittee Meeting (continued)**

The Subcommittee members came to the consensus that the Top 5 Initiatives would be as follows:

- 1) Text-to-911 Messaging
- 2) Statewide NG911 Call Routing
- 3) Statewide NG911 Geographic Information System
- 4) Hosted Public Safety Answering Point NG911 CPE Systems
- 5) Statewide NG911 Education and Web Training

The Board discussed Initiatives not listed and Pre-arrival Instructions.

Mr. Konuch suggested that the Subcommittee members take list of Top 5 Initiatives and study to establish rankings.

Ms. Welte suggested that the Subcommittee be mindful of ANSI Standard for Missing and Exploited Children initiatives which may be inconsistent with existing county agency policies.

Next Scheduled Subcommittee Meeting

The next scheduled Subcommittee meeting will be set for Thursday, July 11, 2013 at the conclusion of the regular schedule Board meeting. Mr. Jennings informed the Subcommittee that notice of meeting could be taken care of via the agenda.

Meeting adjourned.

**Wednesday, June 12, 2013 beginning time 9:00 a.m. until conclusion of business**

**Board Members in meeting attendance:**

Christopher Campbell, Chairman - Director, Division of Telecommunications  
Carolyn Dill-Collier, 911 Coordinator, St. Lucie County  
Charles "Chuck" Freeman, 911 Coordinator, Pinellas County  
Stan Greer, Area Manager – External Affairs, AT&T  
Benjamin "Ben" Guthrie, 911 Coordinator, Gulf County  
Marilyn Haroutunian, Industry Consultant, TracFone Wireless  
Sandra "Sandy" Khazraee, Regulatory Affairs Director, Southern Region, Century Link  
David "Dave" Konuch, Attorney, Florida Cable Telecommunications Association  
Tom Nadler, Manager, Sprint  
Ira Pyles, 911 Coordinator, Hillsborough County

**Staff in meeting attendance:**

John Ford, Bureau Chief, DMS-Division of Telecommunications  
Wink Infinger, Statewide 911 Coordinator, DMS-Division of Telecommunications  
Clark Jennings, Legal Counsel, Office of the Attorney General  
Penney Taylor, Administrative Support, DMS-Division of Telecommunications

**Public in meeting attendance:**

Jerry Chandlee, Florida School for Deaf & Blind Police Department  
Ray Eslinger, Nassau County  
Tim Gundlach, TGRA  
Sally Jackson, Polk County  
Todd Jones, CenturyLink  
Michael Kern, Solacom  
Darren Light, AT&T  
Dale Mitchell, St. Johns County  
Susan Nelson, Cassidian  
Steve O'Connor, Synergem Technologies  
Roy Preuss, Flagler County  
James Robinson, AK Associates  
Bill Stevens, GeoComm  
Dina Walker, Seminole County  
Pat Welte, Duval County

**Staff and Public Members participating via telephone conference:**

Christine Cooper, Okaloosa County

Delia Fernandez, Accountant, Law, Redd, Crona & Munroe, P.A.

Adrienne Jones, Administrative Support, Manpower

Donald Lamb, Technical Support, DMS-Division of  
Telecommunications

Kent Raheb, Technical Support, DMS-Division of  
Telecommunications

Annette Rodgers, Orange County

Chuck Spalding, Palm Beach County

(Some telephone conference participants may not be listed as no email was received acknowledging their participation.)

**1. Call to Order**

Meeting called to order at approximately 9:00 a.m.

The meeting started with staff conducting roll call. All current Board members were in attendance for this meeting.

Roll call for staff members was conducted. Public members attending this meeting and participating in the telephone conference were requested to acknowledge their participation by signing the sign in sheet or by sending an email to staff to assure that they would be properly noted in the meeting minutes. Public members with issue(s) to be presented to the Board for consideration were requested to either list it on the issue(s) list provided or to send the issue(s) via electronic mail to staff.

**2. Approve Meeting Minutes for the May 15-16, 2013 E911 Board Meetings**

Meeting minutes from the May 15-16, 2013 E911 Board meetings were reviewed by the Board. There were no significant changes or updates received from the Board members or staff after the initial draft was circulated. All updates were incorporated in the draft meeting minutes as presented.

Ms. Haroutunian made a motion to adopt the May 15-16, 2013 meeting minutes as received. Mr. Guthrie seconded the motion which carried unanimously (10-0).

**3. Old Business**

Board Member Replacement

Mr. Campbell informed the Board that included in the meeting package was a letter from Sheriff William Snyder, Martin County informing the Board that Joe Laviano announced his retirement effective May 3, 2013.

Mr. Infinger informed the Board that 5 potential candidates had applied for the vacant position and that the ballots had been sent to the 911 Coordinators to vote. Once all ballots are tabulated the top three candidates will be submitted to the Florida Association of County for consideration to be forwarded to the Governor's Appointment Office for appointment.

**4. Discuss confidential data related to provider revenues by county, discrepancies, disbursements and provider invoices.**

**All confidential information discussed in a manner as not to disclose any confidential information and/or trade secrets.**

Ms. Fernandez reviewed confidential data related to the wireless and non-wireless March 31, 2013 monthly disbursements to counties and financial statements.

The Board was informed that issues continue to be encountered with remittance reports from some companies and with fluctuations of subscribers from some companies.

**5. Discuss the recommendation(s) and vote on items from confidential data**

Wireless

Wireless financial reports for the period ending March 31, 2013 were reviewed and discussed by the Board. Interest earnings in the amount of \$410,854.70 were included in the wireless disbursement report. The Board discussed the methodology for interest disbursement.

Ms. Haroutunian made a motion to authorize distribution of wireless revenues in the amount of \$4,093,075.08 which did not include any interest earnings. Ms. Khazraee seconded the motion which carried unanimously (10-0).

Interest earnings tabled pending determination of the use of funds.

Nonwireless

Nonwireless financial reports for the period ending March 31, 2013 were reviewed and discussed by the Board.

Mr. Guthrie made a motion to authorize distribution of nonwireless revenues in the amount of \$3,481,380.73. Mr. Konuch seconded the motion which carried unanimously (10-0).

Financial Statement

Ms. Fernandez gave an overview of the financial statement for the period ending March 31, 2013 which included a summary of liabilities, trust fund balance, revenues, expenditures and subsequent events.

Provider Reimbursement

Ms. Fernandez gave an overview of the Provider Reimbursement. This statement included a report of year-to-date reimbursements to wireless service providers for actual costs incurred to provide 911 or E911 service.

**Discuss the recommendation(s) and vote on items from confidential data (continued)**

Other issue(s) discussed:

- Service Provider letter(s) sent to provider(s) with remittance reports in arrears
- Prepaid Moratorium Sunset Informational Letter

Wireless Service Provider Cost Recovery Consent Agenda

The following wireless service provider cost reimbursement invoices were reviewed for payment authorization approval:

Mr. Freeman made a motion that payment authorization for Item 1, as listed on the Wireless Service Provider Cost Recovery Consent Agenda in the total amount of \$261,759.30 be approved. Ms. Dill-Collier seconded the motion which carried unanimously (10-0).

Mr. Freeman made a motion that payment authorization for Item 2, as listed on the Wireless Service Provider Cost Recovery Consent Agenda in the total amount of \$18,527.94 be approved. Mr. Guthrie seconded the motion which carried unanimously (10-0).

Mr. Freeman made a motion that payment authorization for Item 3, as listed on the Wireless Service Provider Cost Recovery Consent Agenda in the total amount of \$24,119.96 be approved. Mr. Guthrie seconded the motion which carried unanimously (10-0).

Mr. Greer filed Form 8A.

2012/2013 Fiscal Year Certification Forward Process

Ms. Taylor informed the Board that staff was working with the Wireless Service Providers due to the 2012/13 year end processes to obtain actual and/or estimated invoices to be certified. This process eliminates funds from being paid from upcoming fiscal year.

Special Disbursement

Mr. Ford informed the Board that within the Wireless distribution to counties that after three months of disbursements are certified forward that from the remaining balance (spending authority); if the Board anticipated a special disbursement (too late for special grant program); the decision would need to be made during this meeting in an effort to certify forward funds. Mr. Infinger informed the Board that additional information would be provided later in this meeting during the Spending Authority Presentation.

**6. Discuss E911 Board Legislative Issues**

Mr. Greer informed the Board that based on the update received from Jim Smith on Tuesday that the Bill was in the bill draft status with same sponsor as last year. It appears as though the Governor would be willing to approve a rate of \$.46 opposed to \$.43.

Mr. Greer also informed the Board that it is hopeful to have the Bill in place by summer timeline. Some minor changes were made to the Bill with an additional Bill filed to address the Department of Revenue confidentiality issues. The effective date of the Bill would be the date that the Governor signs the Bill as opposed to July 1<sup>st</sup>.

Other issue(s) discussed:

- Rural county lack of prepaid revenues offset with change in supplemental disbursement
- Clean-up of current Legislation
- Rural County Allocation Percentages

**7. E911 Fee Revenue, Disbursement and Spending Authority Presentation**

Mr. Infinger provided an educational E911 Fee Revenue & Spending Authority PowerPoint Presentation to the Board which included review of the following items:

- E911 Fee Remittances
- Uniform Statewide E911 Fee (Section 365.172 F.S.)
- E911 Fee Allocation Percentages
- E911 Fee Revenue Distribution
- E911 Revenue Spending Authority and Distribution Model
- County E911 Revenues and Expenditure Model
- County E911 Expenditures and Project Excess Model
- E911 County Grant Revenue and Distribution Model
- E911 System Fund Compiled Balance Sheet Diagram

**Lunch Recess**

**E911 Fee Revenue, Disbursement and Spending Authority (continued)**

Other issue(s) discussed:

- 2012/2013 – 2013/2014 Wireless Spending Authority  
No action will be taken to certify forward funds from the 2012/2013 Wireless category for a special disbursement as sufficient spending authority would be available during the 2013/2014 fiscal year.

**8. Review Text-to-911 and NG-911 Implementation and Updates Issues**

Jerry Chandlee, Police Chief, Florida School for Deaf and Blind, Police Department discussed issues related to communications with the Deaf and Blind community and Text-to-911.

Mr. Infinger provided an Interim Solution Text-to-911 PowerPoint Presentation which included review of the following items:

- Interim Solution Text-to-911 PSAPs
- Joint ATIS/TIA Native SMS to 9-1-1 Requirements and Architecture Specification
- Text-to-911 (PSAP)s
- Interim Solution (Transition to NG-911)
- Text-to-911 Options
- Text-to-911 Options Call Flow
- Text-to-911 Concerns and Limitations

Other issue(s) discussed:

- Standards
- Solutions (CAD Integration)
- Text Messaging Address

**9. Discuss E911 Board Subcommittee Strategic Initiative Issues**

Mr. Guthrie provided an update on the Tuesday Subcommittee meeting. Five priority initiatives have been established once funding is available.

Mr. Konuch reported that he was awaiting input from clients within the Telecommunications industry.

Mr. Guthrie informed the Board that the subcommittee was assigned the task of taking the five (5) priority initiatives (Text Messaging, Statewide NG911 Call Routing, Statewide NG911 Geographic Information System, Hosted Public Safety Answering Point NG911 CPE Systems, Statewide NG911 Education and Web Training) and establish points for each.

The Board is of the consensus that the subcommittee initiative be incorporated as a full Board.

**10. Discuss Board Rules, Rule Development and Status Report**

Mr. Jennings informed that Board that there were no reports related to Rules and Rule Development.

Mr. Pyles questioned if Rule Development would be required for the prepaid moratorium. Mr. Jennings responded that there would not.

**11. Discuss State Grant Program and 2013 Spring State Grant Program Application Update(s)**

Mr. Infinger questioned if the Board anticipated a State Grant Program with a due date of November 2013. If so, the State Grant Application should be prepared for review in the July Board meeting.

Mr. Ford suggested that the counties be polled related to needs which would be applied for during this grant program.

Other issue(s) discussed:

Senate Bill 50 – Open Public Meetings

Mr. Jennings informed the Board that within SB50 there is some indication as to whether it requires a Rule to have public participation.

Mr. Jennings stated that the reality is that the Board does allow public to speak; therefore at this time no issues. If foreseen that Rule is required staff would proceed with necessary steps to enforce.

**Meeting Recess**

**Thursday, June 13, 2013 beginning time 9:00 a.m. until conclusion of business**

**Call to Order**

Meeting called to order at approximately 9:00 a.m.

The meeting started with staff announcing that all current ten (10) Board members were present for this meeting.

**12. Discuss Rural County Grant Program and the 2013 Fall Rural County Grant Program Application Update(s)**

Mr. Infinger informed the Board that at this time there were no pending changes.

Mr. Infinger also informed the Board that an email notification would be sent on July 1, 2013 to all counties giving notice that the application is available online for the 2013 Fall Rural County Grant Program which should be due on or before October 1, 2013.

**13. Discuss Rural County and State Grant Program Quarterly Reports and Change Requests**

Mr. Infinger informed the Board that Gadsden County has elected to retract the Change Request submitted for review in the May Board meeting. At this time there are no additional change requests for review.

Mr. Infinger informed the Board that there are some concerns for some grants awarded in 2011 whereby funds have not been expended. Staff is working with all counties to resolve issues and close out grants in an effort not to encounter any needs for petition for variances.

**14. Discuss Fee Allocation Percentages and the Emergency Communications Number E911 System Fund (E911 Trust Fund)**

There were no issues to discuss related to Fee Allocation Percentages at this time as this item is placed on the agenda each month as a place holder to allow conversation, if needed.

## **15. Other Business**

### E911 Board Logo

Mr. Infinger informed the Board that upon request the DMS Communications Office could review the provision of an updated Board's logo with suggested input or changes.

### E911 Board Mission Statement

Mr. Freeman expressed concerns related to the current mission statement and read a suggested update to the statement.

The Board discussed potential changes to the current mission statement.

Mr. Campbell suggested that all proposed language for the mission statement be submitted to staff who would then be submit to the Board members for suggested changes prior to a vote.

### Service Provider Letter

Mr. Campbell requested that Mr. Jennings walk through the suggested prepaid moratorium letter draft with the Board.

Mr. Jennings informed the Board that language had been taken from the 2010 letter and quoted precisely which advises that the moratorium was going into place. A closing paragraph has since been added which now essentially states that the moratorium is no longer there and to govern oneself accordingly.

The Board discussed the letter in detail and concerns for feedback from the letter.

As suggested, some changes were made to the letter which should be sent to all Wireless Communications Service Providers and posted to the E911 website.

### Public Comments

Mr. Infinger informed the Board that question with reference to 911 VoIP call delivery to the appropriate 911 Systems and need for Alternate Routing Number and Alternate Delivery of calls have been received. This is informational only and to make Board aware. Mr. Infinger has informed counties that issue is not Board issue; however, staff would be researching the FCC requirements and issues on broadband side.

### Staff Reports

Ms. Taylor provided updates to the Board members related to travel authorization and travel reimbursement concerns as presented by staff support.

## **16. Meeting Adjourn**

E911 Board Meeting 061313  
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Next scheduled meeting:  
July 10 – June 11, 2013 beginning time 9:00 a.m. until conclusion of business

LOCATION:  
Rosen Shingle Creek Hotel  
9939 Universal Boulevard  
Orlando  
(407) 996-3359

July 11, 2013 immediately following completion of regular Board business until conclusion of business  
E911 Board Initiatives Subcommittee Meeting

PWT/pwt



**From:** [Lisa Hurley](#)  
**To:** [Infinger, Wink](#)  
**Cc:** [Ford, John](#)  
**Subject:** RE: E911 Board County At-large county 911 coordinator member appointment  
**Date:** Monday, July 01, 2013 3:23:01 PM

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Wink –

We are completing the recommendation letter with the four candidates right now. Have they been provided the questionnaire for gubernatorial appointments or do we need to get those to them?

Respectfully,

**Lisa M. Hurley, Esq.**

Florida Association of Counties

100 S. Monroe St • Tallahassee, FL 32301

Phone: (850) 487.0697 • Fax: (850) 488-7752

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**From:** Infinger, Wink [mailto:wink.infinger@dms.myflorida.com]  
**Sent:** Friday, June 28, 2013 5:55 AM  
**To:** Lisa Hurley  
**Cc:** Ford, John  
**Subject:** FW: E911 Board County At-large county 911 coordinator member appointment

Lisa,

Mr. Joe Laviano is no longer the Martin County 911 Coordinator. With his departure from Martin County Sheriff's Office, one E911 Board At-large county 911 coordinator member position is vacant. E911 Board membership is specified in paragraph 365.172(5)(b), Florida Statutes. The E911 Board county representatives are recommended by the Florida Association of Counties in consultation with the county 911 coordinators. Each county 911 coordinator Board member is appointed by the Governor. We have polled the County 911 Coordinators and verified their interest and ability to serve on the E911 Board.

Based on previous requests on the Governor's Appointment Office procedures, we need to provide three candidates for the open position. We have completed the standard selection process of obtaining the County E911 Board member candidates for the Governor's appointment. We typically list the top three candidates from the County 911 Coordinator voting results. Since we had a tie at the third place position we have four candidates and they are listed in order of county 911 coordinator voting preference.

The process of selecting candidates includes the requirement that the candidate is the county 911 coordinator, appointed by their respective Board of County Commissioners, and that they would like the opportunity to serve on the E911 Board. They have also confirmed their county administration

approval to serve on the Board and the time involved for E911 Board activities. Once the candidate list was developed, a ballot and the candidate bios were submitted to all county 911 coordinators for voting. The voting is limited to the official county 911 coordinators and has been tabulated and the candidates are listed in order of voting preference.

The county 911 candidates (candidates with the largest vote counts) are being forwarded to the Florida Association of Counties for submission to the Governor's Office. The Governor's office can then make the appointment.

**At-large County E911 Candidates**

The top three positions listed in order of county 911 coordinator voting preference are as follows:

- 1<sup>st</sup> place candidate, **Sgt. Dale Mitchell**, St. Johns County
- 2<sup>nd</sup> place candidate, **Mr. Karl Oltz**; Marion County
- 3<sup>rd</sup> place candidates, **Ms. Laurie Anderson**, Charlotte County and **Mr. Stephen Ford**, Liberty County

The candidate bios are attached and the candidates contact information is below:

<b>St. Johns</b>	<b>Sgt. Dale Mitchell</b> <b>St. Johns County Sheriff's Office</b> <b>4015 Lewis Speedway</b> <b>St. Augustine, FL 32084</b>	<b>Phone: (904)209-1478</b> <b>Fax: (904)824-9057</b> <b>Email: <a href="mailto:dmmitchell@sjsso.org">dmmitchell@sjsso.org</a></b>
<b>Marion</b>	<b>Mr. Karl F. Oltz</b> <b>2630 S.E. 3rd Street</b> <b>Ocala, FL 34471</b>	<b>Phone: (352)671-8460</b> <b>Fax: (352)671-8798</b> <b>Email: <a href="mailto:Karl.Oltz@marioncountyfl.org">Karl.Oltz@marioncountyfl.org</a></b>
<b>Charlotte</b>	<b>Ms. Laurie Anderson</b> <b>Charlotte County E911 Administrator</b> <b>7474 Utilities Road</b> <b>Punta Gorda, FL 33982</b>	<b>Phone: (941)575-5339</b> <b>Fax: (941)575-5335</b> <b>Email: <a href="mailto:landerson@ccso.org">landerson@ccso.org</a></b>
<b>Liberty</b>	<b>Mr. Stephen Ford</b> <b>Liberty County 911 Coordinator</b> <b>10979 NW Spring St.</b> <b>Bristol, FL 32321</b>	<b>Phone: (850)643-4960</b> <b>Fax: (850)643-3499</b> <b>Email: <a href="mailto:lc911ford@gtcom.net">lc911ford@gtcom.net</a></b>

Your assistance with the E911 Board County 911 coordinator appointment is appreciated. Since I do not have Mr. Holley's email address, please share this information with him. If we can be of additional assistance or if you have any concerns or questions, please call.

Thanks,

Wink Infinger  
Statewide 911 Coordinator

Florida Department of Management Services  
Division of Telecommunications  
4030 Esplanade Way, Suite 135C, Tallahassee, FL 32399-0950  
Direct: (850) 921-0041 | Fax: (850) 488- 9837  
[wink.infinger@dms.myflorida.com](mailto:wink.infinger@dms.myflorida.com)

**E911 Board Staff Analysis  
Potential Grant Program - 2013 State Application**

County	Request Item	? Priority ?	Estimated Cost	Past Grants (Completion Date and Cost)
Monroe	E911 CPE System Upgrade	2-1?	\$ 175,000	October 2010 System Replacement \$657,299
Nassau	E911 CPE System Replacement	2-1?		Sept 9, 2009 System upgrade RCG \$341,385
Escambia	E911 CPE System Upgrade	2-1?	\$ 415,000	June 10, 2009 E911 System Replacement \$1,384,518 October 17, 2012 E91 System Upgrade \$233,327
Okaloosa	E911 CPE System Upgrade & Map Display	2-1?	\$ 529,697	April 22, 2010 E911 System & Recorder \$320,768 March 31, 2010 NG911 & Mapping \$766,516
Jefferson	GIS Mapping	6	\$ 213,000	
Jackson	Wireless Devices for Backup	7		
Wakulla	Backup System Replacement	7	\$ 225,772	
Holmes	Backup System Relocation	7	\$ 122,355	
Jefferson	New E911 CPE System (Secondary)	7	\$ 122,000	
Walton	New Backup laptops	7	\$ 134,308	
Levy	Backup System	7	\$ 303,052	
Glades	Maintenance/ Training			
Union	Recorder			

APPLICATION FOR

*THE E911 STATE GRANT PROGRAM*

W Form 3A, incorporated by reference in Florida Administrative  
Code Rule 60FF1-5.003 E911 State Grant Program - Application  
effective 8/1/2013.

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## 1.0 Purpose

The E911 State Grant Program is to assist counties with the installation of Enhanced 911 (E911) systems and to provide “seamless” E911 throughout the State of Florida.

## 2.0 Eligibility

The Board of County Commissioners in any county in the State of Florida is eligible to apply for this grant program. Funding priorities are established in Addendum I.

## 3.0 Definitions

- A. Enhanced 911 (E911): As defined by Section 365.172(3)(i), Florida Statutes, and as referenced in the State E911 Plan under Section 365.171, Florida Statutes.
- B. E911 Maintenance: Means the preventative, routine and emergency maintenance required by the State E911 Plan, in order to maintain the E911 System in operable working condition.
- C. E911 System: Means the Public Safety Answering Point equipment, in accordance with the State E911 Plan, including 911 call routing, processing, mapping and call answering communications equipment.
- D. Government Accounting Standards Board (GASB): Means the independent organization that establishes and improves standards of accounting and financial reporting for U.S. state and local governments.
- E. Next Generation 911 (NG-911): Means the designation for an advanced 911 emergency communications system or service that provides a communications service subscriber with 911 service and, in addition, directs 911 emergency requests for assistance to appropriate public safety answering points based on the geographical location from which the request originated, or as otherwise provided in the State E911 Plan under Section 365.171, Florida Statutes, and that provides for automatic number identification and automatic location identification features and emergency data information through managed IP-based networks.
- F. Public Safety Answering Point (PSAP): As defined by Section 365.172(3)(a), Florida Statutes, and as referenced in the State E911 Plan under Section 365.171, Florida Statutes.

#### 4.0 E911 State Grant Program Calendar

	Schedule
Counties submit Application	by November 1
E911 Board Members evaluate applications	November - December
E911 Board votes on applications to fund at regularly scheduled meeting	November – December
E911 Board sends notification of funding and issues check to counties approved for funding	before January 30
Implementation period	One year from receipt of award and funds.
Expiration of the right to incur costs	Two years from receipt of award and funds.

#### 5.0 General Conditions

5.1 Applications must be delivered to the following address:

**State of Florida E911 Board**  
**ATTN: E911 Board Administrative Staff**  
**4030 Esplanade Way, Suite 135**  
**Tallahassee, Florida 32399-0950**

Deleted: 160

5.2 The applicant must provide one original of the pages for Application Form items 1 through 14 and the associated quotes. The grant application package must be postmarked or delivered on or before November 1, of each year. Failure to provide these documents will result in automatic rejection of the grant application. One scanned copy of the entire submitted package should also be provided on a CD-ROM, to ensure quality of the documents to be reviewed.

5.3 The E911 Board will not consider leasing of equipment unless the applicant can show that leasing rather than purchase will reduce total costs. Leasing costs should be calculated to account for only the first year warranty and maintenance costs and should not include upfront maintenance costs to reduce the lease amount.

5.4 All grant applications shall be accompanied by at least one complete quote for equipment or services. Grant applications totaling \$35,000.00 or more must be accompanied by at least three written substantiated competitive complete quotes from different vendors. Complete quote submittals shall include a detailed scope of work, all pages included in the vendor proposal, breakdown of all costs including equipment and service deliverables. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain at least three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses.

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- 5.5 If the grant application does not exceed the threshold amount of \$195,000, the county can initiate a request for approval for sole source funding. These will be considered on a case-by-case basis. Justification for sole source funding shall be provided with the application. Sole source will be approved if provided in accordance with Chapter 287, Florida Statutes, or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which shall be provided with this grant application.
- 5.6 Applicants requesting items from different funding priorities should complete a separate application for each priority. See Addendum I - Funding Priorities for the E911 State Grant Program for a listing of funding priorities. Items from the same funding priorities should be combined in the same application and shall comply with General Conditions items 5.4 and 5.5.
- 5.7 Should two or more counties jointly apply for a grant, each county will be required to complete and submit a grant application detailing the funds requested and the county responsible for the funds, in addition to one combined grant application detailing the entire project and a memorandum of understanding of all counties involved. The combined grant application shall comply with General Conditions items 5.4 and 5.5.
- 5.8 Procurement shall be based on the county's purchasing requirements and the applicable State purchasing requirements, including Section 112.061, Florida Statutes. All travel and associated per diem costs proposed shall be in compliance with General Conditions item 6.3.5.

5.9 Funding application requests must include a scope of work that clearly establishes the tasks to be performed. Provide all tasks that are required and included as part of the project. The project shall be divided into quantifiable units of deliverables that must be received and accepted in writing by the county before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

5.10 Funding requests must include all necessary costs required for full implementation of the proposed solution including that of any third party. Should the county grant application request or grant award be less than the projected cost of the equipment or service, the county should provide verification of the ability to fund the difference. Pricing submitted cannot be contingent upon "yet to be" determined fees for products and services by the proposer or any other third party required for implementation.

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5.11 The County shall provide information on the county's preceding year E911 fee revenue amount, the carry forward funding amount and the total balance amount in the County E911 Fund. The amount of grant funding award is limited based on any county total carry forward funding in excess of the calculated allowable 30% amount on a two year basis. The total amount in the carry forward account in excess of the allowable 30% amount of fee revenue calculated on a two year basis shall be listed in the Applied County Carry Forward or other Funding (if applicable) line in the Application Form item #12. Budget/Expenditure Report.

5.12 Detailed information is required for any grant application requesting funding for systems that require immediate system replacement for provisioning of enhanced 911 in the county. Include

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detailed justification and explanation for any E911 system with an expected remaining life of less than 1 year.

5.13 Funding requests contingent upon “beta testing” or for products and services not in general production and installation shall be explained in detail and shall include documentation from the manufacture on the exact status of the equipment development, the schedule and the deliverables on the system.

## 6.0 Limitation on Use of Funds

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6.1 Only eligible expenses for E911 service listed in Section 365.172(9), Florida Statutes, (Appendix I) that are not specifically excluded in this application will be funded.

6.2 Specifically excluded E911 expenses:

6.2.1 Salaries and associated expenses for 911 coordinators and call takers or other 911 personnel will not be funded.

6.2.2 Wireline database costs from the Local Exchange Carrier, vehicle expenses, consoles, workstation furniture and aerial photography expenses will not be funded. ~~Interconnecting hardware and network equipment for NG 911 PSAPs is fundable; however, Outside plant copper or fiber cabling systems and building entrance build out costs is not fundable.~~

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6.3 Funding limitations are specified on the following items:

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6.3.1 Recurring network and circuit costs, equipment maintenance and warranty costs will not be funded on more than the first year implementation period.

6.3.2 Grant funding shall be limited (per grant cycle) to eligible expenditures for one PSAPs per county; either one primary or one secondary PSAPs ~~or one primary and one secondary PSAP. Counties with only one consolidated PSAP in the county, with no other primary or secondary PSAPs, may be eligible for grant funding for one backup PSAP.~~

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6.3.3 Selective router equipment costs are limited to the primary PSAP system and are limited to one per county.

6.3.4 Training cost funding is limited to new system & equipment training.

6.3.5 The allowable grant funding for travel expenses is limited to the authorized amounts established in Section 112.061, Florida Statutes, and the Department of Financial Services Guidelines for State Expenditures. Allowable costs for daily per diem shall not exceed \$186.00.

## 7.0 Approval and Award

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- 7.1 The E911 Board will review each application for compliance with the requirements of terms and conditions.
- 7.2 Grant awards will be withheld for any county that has a grant with a past-due quarterly report or past-due final documentation and closeout, of previous E911 Board grant awards.
- 7.3 Applications will be awarded based upon the priorities set by the E911 Board as listed in Addendum I - Funding Priorities for the E911 State Grant Program.
- 7.4 The E911 Board will adjust the amount awarded to a county based upon the availability of funds, eligibility of requested items, published quotes, increased effectiveness of grant funds, minimum system requirements for performing the needed E911 function as specified in the State E911 Plan, or documented factors provided in the grant application submission. ~~NG 911 network systems should include a comparative presentation of network alternatives, including applicable LEC, CLEC, County and State alternatives.~~ All stepped pricing should be thoroughly explained including the corresponding benefits for the County and the E911 Board.
- 7.5 Any county that requires Board of County Commissioner approval of the grant program funding, prior to commencement of the project, shall notify the E911 Board in Application Form item #10. Grant funds for approved grant applications will be held until the county provides written notification to the E911 Board of the Board of County Commissioners approval of the project prior to the funds being disbursed from the E911 Trust Fund.
- 7.6 Any conditional hold, for documentation submittal referenced in 7.2 and 7.5, is limited to the last regularly scheduled E911 Board meeting application vote established in the grant program calendar.

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## 8.0 Financial and Administrative Requirements

- 8.1 Grant funds shall be deposited in an interest bearing account maintained by the grantee, and each grant shall be tracked using a unique accounting code designator for deposits, disbursements and expenditures assigned by the county. All grant funds in the account maintained by the grantee shall be accounted for separately from all other funds. Accounting shall be consistent with GASB 31 financial reporting.
- 8.2 Grant funds, including accrued interest, can only be used between the beginning and ending dates of the grant term, unless the E911 Board authorizes an extension. ~~The right to incur costs under this grant expires two years from receipt of award and funds. The grantee may not incur costs for payment with grant funds past the expiration date.~~

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8.3 Grant funds provided in excess of the amount to which the actual cost incurred to meet the terms and conditions of the grant agreement must be refunded to the E911 Board and sent to the Florida E911 Board's Post Office Box address:

Address: Florida E911 Board  
Post Office Box 7117  
Tallahassee, Florida 32314

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The refund shall include transmittal information detailing the amount of returned funds that are excess grant funding and/or returned interest and shall include the number of the associated grant.

8.4 Responsibility for grant funding and any failure to perform the minimum level of service required by the grant application and the application scope of work cannot be transferred under any circumstances from the County. Failure to perform the scope of work or expenditure of funds for other than allowable costs as stated in the grant application shall require that the funds must be returned to the E911 Board.

8.5 On grant awards of \$25,000.00 or more, any interest generated must be spent as part of this project or the earned interest shall be returned to the E911 Board. Utilization of the earned interest funds shall be authorized through an approved Request for Change Form and expenditure documentation shall be included in the final report. On grant awards of \$25,000.00 or less, any interest generated can be spent as part of this project or used for other allowable E911 expenditures listed in Section 365.172(9), Florida Statutes.

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8.6 Responsibility for property and equipment obtained under a grant cannot be transferred under any circumstances. If a sale or transfer of such property or equipment occurs within five years after a grant ends, funds must be returned to the E911 Board on a pro rata basis.

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8.7 The grantee agrees that any improvement, expansion or other effect brought about in whole or part by grant funds will be maintained for a minimum of five years or thereafter until the effective replacement date of the system.

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## **9.0 Grant Reporting Procedures**

9.1 Grantees will be required to submit quarterly reports summarizing all expenditures and status of the grant project. Quarterly reports shall include an updated Application Form item #12 Budget/Expenditure Report and a completed Appendix III Quarterly Report Form.

9.1.1 Reporting will begin at the conclusion of the first full quarter after the award. The report periods will end on March 31, June 30, September 30, and December 31 of each year. Reports are due within 30 days of the ending report period.

9.1.2 Earned interest shall be reported cumulatively and included with each quarterly report.

9.1.3 Updated reports and associated information should be e-mailed to [E911Board-ElectronicGrantReports@dms.myflorida.com](mailto:E911Board-ElectronicGrantReports@dms.myflorida.com).

9.2 At project completion, a final report shall be submitted based on the same reporting requirements described in grant reporting item 9.1. The county shall determine the final completion date based on the final payment date, or the initiation date of the warranty period. Final documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

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- 9.3 No changes or departures from the original request are authorized unless approved in writing by the E911 Board. Such requests shall be submitted using the form attached in Appendix II, Request for Change Form. Any unauthorized change shall require the return of grant funds, plus any interest accrued.
- 9.3.1 Time extension requests will not be granted unless the county has executed a contract for the grant equipment and/or services, or demonstrates good cause for failure to execute a contract within twelve months of award. Good cause documentation shall include a new project timeline schedule.
- 9.3.2 Time extensions shall be limited to a maximum of one additional year when approved by the E911 Board.
- 9.3.3 Request for Change forms and associated information should be e-mailed to [E911Board-ElectronicGrantReports@dms.myflorida.com](mailto:E911Board-ElectronicGrantReports@dms.myflorida.com).
- 9.4 The Appendix III Quarterly Report Form shall inform the E911 Board of significant impacts to grant supported activities. Significant impacts include project status developments affecting time schedules and objectives, anticipated lower costs or producing beneficial results in addition to those originally planned. Additionally, problems, delays, or adverse conditions which will materially impair the ability to meet the timely completion of the award must be reported. The disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
- 9.5 The County's Board of County Commission chairperson shall be notified when overdue quarterly reports, final reports and final documentation is not received before the next E911 Board meeting following the month after the end of the quarter in which they are due.
- 9.6 Funding continuance will be based on timely submission of quarterly reports.
- 9.7 Final document submission and close-out of a grant does not affect the E911 Board's right to disallow costs and recover funds on the basis of an audit or financial review. The county shall remain obligated to return any funds expended that do not comply with the terms and conditions of the grant award.

County \_\_\_\_\_

STATE OF FLORIDA E911 BOARD  
E911 STATE GRANT PROGRAM APPLICATION FORM

Total Amount Requested: \_\_\_\_\_

Project Title: \_\_\_\_\_

1. **Board of County Commissioners Chair:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

2. **County 911 Coordinator:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

3. **Federal Tax ID Number:** \_\_\_\_\_

County \_\_\_\_\_

COUNTY INFORMATION  
USE 12 POINT FONT OR LEGIBLE HAND PRINTING

**4. County Fact Information**

- A. County \_\_\_\_\_
- B. Population \_\_\_\_\_
- C. Total Number of Incoming Nonwireless Trunks \_\_\_\_\_
- D. Total Number of Incoming Wireless Trunks \_\_\_\_\_
- E. Number of PSAP's \_\_\_\_\_
- F. Number of Call Taker Positions per PSAP \_\_\_\_\_
- G. Total Volume of 911 Calls \_\_\_\_\_
- H. What equipment is needed to provision the Enhanced 911 system?  
\_\_\_\_\_
- I. What equipment is requested in this grant application?  
\_\_\_\_\_
- J. Financial Information:
- 1.) What are the current annual costs for your E911 system (circuits, customer records hardware and software, etc.) not including maintenance?  
\_\_\_\_\_
  - 2.) What are the current annual costs for maintenance of items included in 1.)?  
\_\_\_\_\_
  - 3.) Total amount of E911 Fee revenue received in the preceding year?  
\_\_\_\_\_
  - 4.) Total amount of County Carry Forward Funding retained in the preceding year?  
\_\_\_\_\_
  - 5.) Current total amount of County Carry Forward Funding?  
\_\_\_\_\_

**5. Describe your county's existing E911 system. Include specific information on any existing system equipment being upgraded or replaced and when the installation of this equipment was completed.**

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6. Describe the scope of work for the proposed project including any goal(s) and objectives. Include the tasks to be performed as part of the project. Provide scope of work quantifiable units of deliverables that must be received and accepted. For each deliverable specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

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7. Justification of the need for the proposed project. Provide detailed information of the system's condition including a detailed justification for any system with an expected remaining life of less than 1 year.

8. Describe why your county will not be able to complete this project without this grant funding.

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9. Briefly describe how this grant project would be in concurrence with the State E911 Plan.

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10. Describe the required steps and an anticipated schedule or time frame with procurement and payment milestones and completion date.

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11. Sole source justification (if applicable).

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## Appendix I

**NO requests for funding will be acknowledged for any items not specified in Section 365.172, Florida Statutes, Emergency communication number “E911”; paragraph (9) (shown below).**

### Section 365.172 (9), Florida Statutes

#### AUTHORIZED EXPENDITURES OF E911 FEE.—

(a) For purposes of this section, E911 service includes the functions of database management, call taking, dispatching, location verification, and call transfer.

(b) All costs directly attributable to the establishment or provision of E911 service and contracting for E911 services are eligible for expenditure of moneys derived from imposition of the fee authorized by this section. These costs include the acquisition, implementation, and maintenance of Public Safety Answering Point (PSAP) equipment and E911 service features, as defined in the Public Service Commission's lawfully approved 911 and E911 and related tariffs or the acquisition, installation, and maintenance of other E911 equipment, including call answering equipment, call transfer equipment, ANI controllers, ALI controllers, ANI displays, ALI displays, station instruments, E911 telecommunications systems, visual call information and storage devices, recording equipment, telephone devices and other equipment for the hearing impaired used in the E911 system, PSAP backup power systems, consoles, automatic call distributors, and interfaces, including hardware and software, for computer-aided dispatch (CAD) systems, integrated CAD systems for that portion of the systems used for E911 call taking, network clocks, salary and associated expenses for E911 call takers for that portion of their time spent taking and transferring E911 calls, salary and associated expenses for a county to employ a full-time equivalent E911 coordinator position and a full-time equivalent mapping or geographical data position and a staff assistant position per county for the portion of their time spent administrating the E911 system, training costs for PSAP call takers, supervisors, and managers in the proper methods and techniques used in taking and transferring E911 calls, costs to train and educate PSAP employees regarding E911 service or E911 equipment, including fees collected by the Department of Health for the certification and recertification of 911 public safety telecommunicators as required under s. 401.465, and expenses required to develop and maintain all information, including ALI and ANI databases and other information source repositories, necessary to properly inform call takers as to location address, type of emergency, and other information directly relevant to the E911 call taking and transferring function. Moneys derived from the fee may also be used for next-generation E911 network services, next-generation E911 database services, next generation E911 equipment, and wireless E911 routing systems.

(c) The moneys may not be used to pay for any item not listed in this subsection, including, but not limited to, any capital or operational costs for emergency responses which occur after the call transfer to the responding public safety entity and the costs for constructing, leasing, maintaining, or renovating buildings, except for those building modifications necessary to maintain the security and environmental integrity of the PSAP and E911 equipment rooms.





*Addendum I*

**Funding Priorities for the E911 State Grant Program**

The criteria for determining acceptability for disbursement of funds from the State of Florida E911 State Grant Program will be made on a PRIORITY basis. There will be three (3) priorities as identified below:

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**PRIORITY 1:** Counties with E911 Phase II Primary and/or Secondary PSAP systems that require immediate system replacement to provision enhanced 911 status or when the expected remaining life of the system is less than 1 year.

**PRIORITY 2:** Counties with E911 Phase II Primary and/or Secondary PSAP systems that require ~~new~~ or replacement of critical or necessary hardware or software for provisioning E911 Phase II status. This may include the following, listed in order of funding priority a through h:

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- a: Hardware and software for Customer Premise Equipment
- b: Lightning Protection Equipment
- c: Uninterruptible Power Supply Equipment
- d: E911 Voice Recording Equipment
- e: County E911 Standalone ALI Database Equipment
- f: E911 Map Display Equipment
- ~~g: New additional 911 Call Taker Position Equipment~~
- ~~g: Net clock~~

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~~**PRIORITY 3:** Counties with E911 Phase II Systems requesting consolidation of E911 PSAPs, which decreases the number of Primary or Secondary PSAPs in the county by a minimum of one. This may include regional consolidated backup systems for counties consolidating backup systems for two or more counties.~~

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~~**PRIORITY 3:** Counties with E911 Phase II Systems that require mapping services necessary for provisioning E911 Phase II Geographic Information Systems (GIS). This may include the following, listed in order of funding priority a through b:~~

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- a: E911 Map System Equipment - E911 map generation hardware and software licensing is limited to components for two stations
- b: GIS Centerline, point generation and map accuracy systems

~~**PRIORITY 5:** Counties with E911 Phase II Systems requesting new NG 911 network funding for county or regional NG 911 IP transport equipment and services.~~

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~~**PRIORITY 6:** Counties with E911 Phase II Systems requesting new management information call monitoring system funding.~~

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~~**PRIORITY 7:** Counties with E911 Phase II Systems that require allowable E911 capital expense items that are not defined in Priorities 1, 2, 3, 4, 5 & 6 to provision a complete E911 system. This may include E911 backup system equipment (pertaining exclusively to items listed in Priorities 2a-h only) in compliance with General Conditions item 6.3.2.~~

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Regional E911 system project requests related to systems and equipment will be considered the highest priority within each priority category.

Grants awards will be funded in order of priority assigned. As provided in Section 365.172(6)(a)3.b., Florida Statutes, “The counties must use the funds only for capital expenditures directly attributable to establishing and provisioning E911 services, which may include next-generation deployment.” Total funding for any priority may be adjusted based on the remaining funds available, the number of applications and the anticipated requests in the next funding cycle. The acceptability for disbursement of funds from the State of Florida E911 State Grant Program for any E911 expense items not expressly provided for in Priorities above shall be determined at the discretion of the E911 Board pursuant to its authority under Sections 365.172 and 365.173, Florida Statutes.

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**60FF1-5.003 E911 State Grant Programs.**

The E911 State Grant program is a grant program provided for the purpose of assisting State of Florida counties, as defined by Section 365.172(6)(a)3.b., F.S., with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 systems.

(1) Eligibility. Any Board of County Commissioners in the State of Florida.

(2) Definitions.

(a) "Enhanced 911" (E911): As defined by Section 365.172(3)(i), F.S., and as referenced in the State E911 Plan under Section 365.171, F.S.

(b) "E911 Maintenance": Means the preventative, routine and emergency maintenance required by the State E911 Plan, in order to maintain the E911 System in operable working condition.

(c) "E911 System": Means the Public Safety Answering Point equipment, in accordance with the State E911 Plan, including 911 call routing, processing, mapping and call answering communications equipment.

(d) "Government Accounting Standards Board" (GASB): Means the independent organization that establishes and improves standards of accounting and financial reporting for U.S. state and local governments.

(e) "Next Generation 911" (NG-911): Means the designation for an advanced 911 emergency communications system or service that provides a communications service subscriber with 911 service and, in addition, directs 911 emergency requests for assistance to appropriate public safety answering points based on the geographical location from which the request originated, or as otherwise provided in the State E911 Plan under Section 365.171, F.S., and that provides for automatic number identification and automatic location identification features and emergency data information through managed IP-based networks.

(f) "Public Safety Answering Point" (PSAP): As defined by Section 365.172(3)(a), F.S., and as referenced in the State E911 Plan under Section 365.171, F.S.

(3) General conditions.

(a) Each county applying for E911 State Grant funds shall complete and submit W Form 3A, "Application for the E911 State Grant Program," effective 8/1/2013, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00514> or

State of Florida E911 Board

ATTN: Administrative Staff

4030 Esplanade Way, Suite 135

Tallahassee, Florida 32399-0950

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The applicant must provide one original of the pages for Application Form items 1 through 14 and the associated quotes for the grant application postmarked or delivered on or before November 1 of each year.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial to the grant program as a whole.

(c) Procurement shall be based on the county's purchasing requirements and the applicable State purchasing requirements, including Section 112.061, F.S. All travel and associated per diem costs proposed shall be in accordance with paragraph (3)(u).

(d) All grant applications shall be accompanied by at least one complete quote for equipment or services. Grant applications totaling \$35,000.00 or more must be accompanied by at least three written substantiated competitive complete quotes from different vendors. Complete quote submittals shall include a detailed scope of work, all pages included in the vendor proposal, breakdown of all costs including equipment and service deliverables. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain at least three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses.

(e) If the grant application does not exceed the threshold amount of \$195,000, the county can initiate a request for sole source funding. Sole source funding will be considered on a case-by-case basis. Justification for sole source funding shall be provided with the application. Sole source funding will be approved if provided in accordance with Chapter 287, F.S., or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the grant application.

(f) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the E911 Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (3)(a).

(g) Recurring network and circuit costs, equipment maintenance and warranty costs will not be funded on more than the first year implementation period.

(h) No grant money will be awarded to be used for the purpose of paying 911 coordinators and call takers or other 911 personnel salaries and associated expenses.

(i) Two or more counties may apply for a joint grant, but each county must complete and submit W Form 3A as requested and indicated.

(j) Grant funding shall be limited (per grant cycle) to eligible expenditures for one PSAPs per county; either one, primary or one secondary PSAPs, or one primary and one secondary PSAP. Counties with only one consolidated PSAP in the county, with no other primary or secondary PSAPs, may be eligible for grant funding for one backup PSAP.

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(k) Selective router equipment costs are limited to the primary PSAP system and are limited to one per county.

(l) Any county that requires Board of County Commissioner approval of the grant program funding, prior to commencement of the project, shall notify the E911 Board in Application Form item #10. Grant funds for approved grant applications will be held until the county provides written notification to the E911 Board of the Board of County Commissioners approval of the project prior to the funds being disbursed from the E911 Trust Fund.

(m) Grant funds shall be deposited in an interest bearing account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 State Grant funds in the account shall be accounted for separately from other grantee funds. Accounting shall be consistent with GASB 31 financial reporting. Utilization of the earned interest funds shall be authorized through an approved Request for Change Form and expenditure documentation shall be included in the final report. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is authorized by the E911 Board. Extension of time will not be granted unless the county has executed a contract for the grant equipment and/or services, or demonstrates good cause for failure to execute a contract within twelve months of award. Good cause documentation shall include a new project timeline schedule. Grant extensions shall be limited to a maximum of one additional year when approved by the E911 Board.

(n) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and status of the grant project. Quarterly reports shall include an updated Application Form item #12 Budget/Expenditure Report and a completed Appendix III Quarterly Report Form. The reports are due 30 days after the end of the reporting period, which ends March 31, June 30, September 30, and December 31. Earned interest shall be reported cumulatively and included with each quarterly report. Updated Grant Budget/Expenditure, Quarterly Report Forms, Request for Change Forms, and Final Report Forms and associated information should be e-mailed to E911Board-ElectronicGrantReports@dms.myflorida.com. The quarterly and final reports will be considered late if not received by the E911 Board Staff prior to the next scheduled E911 Board Meeting after the due date.

(o) At project completion, a final report shall be submitted based on the same reporting periods described in paragraph (3)(n). The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(p) The County's Board of County Commission Chairperson shall be notified when overdue quarterly reports, final document and final reports are not received before the next E911 Board meeting following the month after the end of the quarter in which they are due.

(q) Funding continuance will be based on timely submission of quarterly reports. The county shall remain obligated to return any funds expended that do not comply with the terms and conditions of the grant award.

(r) Grant awards will be withheld for any county that has a grant with a past-due quarterly report or past-due final documentation and closeout, of previous E911 Board grant awards.

(s) Responsibility for property and equipment obtained under a grant cannot be transferred under any circumstances. If a sale or transfer of such property or equipment occurs within five years after a grant ends, funds must be returned to the E911 Board on a pro rata basis.

(t) The amount and availability of funds in the Trust Fund for allocation each year is subject to an annual appropriation by the Legislature. The E911 Board will adjust the funds awarded to a county based upon the availability of funds, eligibility of requested

items, published quotes, increased effectiveness of grant funds, minimum system requirements for performing the needed E911 function as specified in the State E911 plan, or documented factors provided in the grant application submission.

(u) The allowable grant funding for travel expenses is limited to the authorized amounts established in Section 112.061, F.S., and the Department of Financial Services Guidelines for State Expenditures. Allowable costs for daily per diem shall not exceed \$186.00.

(v) Funding requests must include all necessary costs required for full implementation of the proposed solution including that of any third party. Should the county grant application request or grant award be less than the projected cost of the equipment or service, the county should provide verification of the ability to fund the difference. Pricing submitted cannot be contingent upon “yet to be” determined fees for products and services by the proposer or any other third party required for implementation.

(w) Funding application requests must include a scope of work that clearly establishes the tasks to be performed. Provide all tasks that are required and included as part of the project. The project shall be divided into quantifiable units of deliverables that must be received and accepted in writing by the county before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

(x) Responsibility for grant funding and any failure to perform the minimum level of service required by the grant application and the application scope of work cannot be transferred under any circumstances from the County. Failure to perform the scope of work or expenditure of funds for other than allowable costs as stated in the grant application shall require that the funds must be returned to the E911 Board.

(4)(a) The E911 State Grant program will operate on the following schedule:

Deleted: ¶

(b) Schedule:

1. Counties submit applications: by November 1;
2. E911 Board evaluates applications: November – December;
3. E911 Board votes on applications at regularly scheduled meetings November – December;
4. E911 Board sends notification of award and issues checks to counties approved for funding: before January 30;
5. Implementation period: One year from receipt of award and funds;
6. Expiration of the right to incur costs: Two years from receipt of award and funds.

*Rulemaking Authority 365.172(6)(a)11. FS. Law implemented 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) FS. History–New 12-7-08, Amended 10-27-10, Formerly 60FF-5.003, Amended 8-25-11, 9-2-12.*

# Office of Fiscal Accountability and Regulatory Reform

## Rulemaking Notification Form

**To:** Patricia Nelson, Deputy Director, OFARR

**Submitted** [Wink Infinger]

**by:** [Department of Management Services/E911 Board]  
[850-921-0041]

**Re:** Rulemaking Notification for Rule [60FF1-5.003]

**Date:** [7/10/2013]

**Proposed Rulemaking Activity (please attach a copy of each notice):**

Rule Number	Rule Title	Rulemaking Category*	Rulemaking Action **	Identified in Regulatory Plan (Y/N)***
60FF1-5.003	E911 State Grant Program	4	A	Y

\*\*\*If not identified in Regulatory Plan, please be sure to include a justification for why rulemaking is necessary at this time in your explanation below.

**Detailed Explanation**

For each rule, explain in detail either how it alleviates unnecessary, disproportionate, or adverse affects to business or, alternatively, why it is necessary (including an explanation of why the rulemaking is necessary when not identified in the Regulatory Plan). You should address all relevant considerations, including: restriction on entry into a profession; affect on availability of services to public; affect on job retention; restriction on employment seekers; imposition of burdensome costs; cost-effectiveness vs. economic impact of rule.

Rule Number	Explanation
60FF1-5.003	This modification is an update to the existing E911 State Grant Program rule and application and includes changes required by 2013 Legislation Action (HB1309). Any Board of County Commissioners in the State of Florida is eligible to apply. The E911 State Grant Program will help maintain current private-sector employment level and investment for maintaining Florida's E911 system.

**Special Considerations (e.g., legislative ratification required):**

**\*Rulemaking Categories (include all that apply):**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Rule Requires Ratification by Legislature</li> <li>3. Rule Alleviates Unnecessary, Disproportionate, or Adverse Affects to Businesses</li> <li>5. Rule is Necessary to Implement a Federal Program</li> </ol> | <ol style="list-style-type: none"> <li>2. Rule to be Withdrawn or Repealed</li> <li>4. Rule May or May Not be Beneficial to Business, but Mandatory by Statute or Necessary to Protect the Public</li> </ol> |
|---|--|

**\*\*Rulemaking Action:**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>A. Notice of Rule Development</li> <li>C. Notice of Change</li> <li>E. Continue Rulemaking after a Rejection of Lower Cost Regulatory Alternative</li> <li>G. Other (explain)</li> </ol> | <ol style="list-style-type: none"> <li>B. Notice of Proposed Rule</li> <li>D. Notice of Emergency Rule</li> <li>F. Notice of Intent to Adopt Rule</li> </ol> |
|---|--|

DEPARTMENT OF MANAGEMENT SERVICES

Proposed Rule: Is a SERC Required

Division (choose from drop-down list): E911 Board

Rule (number & description):60FF1-5.003, E911 State Grant Program

**Please remember to analyze the impact of the rule, NOT the statute, when completing this form.**

I. Adverse Impact Determination

a. Economic? (Check all that apply.)

- Increased fees to be paid by licensee, applicant, registrant, etc.
- Increased costs of doing business (equipment, software, etc.)
- Increased personnel costs (additional employees, insurance, overtime, training, etc.)
- Decreased opportunity for profit (limits on fees, scope of business/practice, ability to partner with others, etc.)

b. Non-economic? (Check all that apply.)

- Increased time and effort to comply (forms, tests, etc.)
- Increased need for specialized knowledge (legal, technical, etc.)

If any of the above boxes are checked, answer "Yes," then continue to the next section. If no boxes are checked, answer "No," and skip to Section III below.  Yes  No

II. Small Business Determination

a. Are any of the affected entities a "small business?" (Check all that apply.)

- 200 or less permanent full-time employees;
- Net worth less than \$5 million (including value of affiliates);
- Independently owned and operated (NOT a subsidiary of another entity); **AND,**
- Engaged in a commercial enterprise?

If **ALL** of the preceding boxes are checked, answer "Yes," and skip to Section III below.

If you did not check **ALL** of the above boxes, check "No," then continue to the next qualification.

Yes  No

b. Small Business Certification

- Does any affected entity have Small Business Administration 8(a) certification?  
 Yes (see, [www.ccr.gov](http://www.ccr.gov))  No

If the answers to I and II are "Yes," the agency must prepare a SERC.

III. Regulatory Cost Increase Determination

Direct:

- a. Increased Regulatory Cost: N/A
- b. Number of Entities Impacted: N/A
- c. Multiply a. times b.: N/A

d. Is c. greater than \$200,000?  Yes  No

Indirect:

e. Any ascertainable indirect costs?  Yes  No

f. Amount of Indirect Cost: N/A

g. Number of Entities Impacted: N/A

h. Multiply g. times f.: N/A

i. Is h. greater than \$200,000?  Yes  No

j. Is h. plus c. greater than \$200,000?  Yes  No

If the answer to d., i., or j. is "Yes," the agency must prepare a SERC.

Prepared By (type name): Wink Infinger

Date (type date): July 10. 2013

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**To be certified by the agency head, if the agency is within the purview of the Governor; otherwise, certified by the agency's legal counsel or other appropriate person.**

Is a SERC required?  Yes  No

Name: \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

DRAFT

**Department of Management Services  
Statement Of Estimated Regulatory Costs (SERC)**

Division: E911 Board  
Board: E911 Board  
Rule Number: 60FF1-5.003  
Rule Description: E911 State Grant Program  
Contact Person: Wink Infinger

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**Please remember to analyze the impact of the rule, NOT the statute, when completing this form.**

A. Is the rule likely to, **directly or indirectly**, have an adverse impact on economic growth, private-sector job creation or employment, or private-sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule?

- |  |                              |  |
|--|------------------------------|--|
| 1. Is the rule likely to reduce personal income?           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the rule likely to reduce total non-farm employment? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Is the rule likely to reduce private housing starts?    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Is the rule likely to reduce visitors to Florida?       | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Is the rule likely to reduce wages or salaries?         | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Is the rule likely to reduce property income?           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

**Explanation:** This is a modification to the rule for the E911 Board E911 State Grant Program which should have no increase in regulatory or transactional costs. Costs are limited to the grant application submission costs for printing and shipping and grant reporting costs, which have remained similar. Application modifications were to simplify the application requirements.

If any of these questions are answered "Yes," presume that there is a likely and adverse impact in excess of \$1 million, and the rule must be submitted to the legislature for ratification.

B. Is the rule likely to, **directly or indirectly**, have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule?

**Department of Management Services**  
**Statement Of Estimated Regulatory Costs (SERC)**

1. Is the rule likely to raise the price of goods or services provided by Florida business?  
 Yes       No
  
2. Is the rule likely to add regulation that is not present in other states or markets?  
 Yes       No
  
3. Is the rule likely to reduce the quantity of goods or services Florida businesses are able to produce, i.e. will goods or services become too expensive to produce?  
 Yes       No
  
4. Is the rule likely to cause Florida businesses to reduce workforces?  
 Yes       No
  
5. Is the rule likely to increase regulatory costs to the extent that Florida businesses will be unable to invest in product development or other innovation?  
 Yes       No
  
6. Is the rule likely to make illegal any product or service that is currently legal?  
 Yes       No

Explanation: The E911 State Grant Program should not have an impact on business competitiveness. The E911 State Grant Program will help maintain current private-sector employment level and investment for maintaining Florida's E911 system.

If any of these questions are answered "Yes," presume that there is a likely and adverse impact in excess of \$1 million, and the rule must be submitted to the legislature for ratification.

C. Is the rule likely, **directly or indirectly**, to increase regulatory costs, including any transactional costs (see F below for examples of transactional costs), in excess of \$1 million in the aggregate within 5 years after the implementation of this rule?

- |                            |     |
|----------------------------|-----|
| 1. Current one-time costs  | N/A |
| 2. New one-time costs      | N/A |
| 3. Subtract 1 from 2       | N/A |
| 4. Current recurring costs | N/A |
| 5. New recurring costs     | N/A |

**Department of Management Services  
Statement Of Estimated Regulatory Costs (SERC)**

- |  |     |
|--|-----|
| 6. Subtract 4 from 5                           | N/A |
| 7. Number of times costs will recur in 5 years | N/A |
| 8. Multiply 6 times 7                          | N/A |
| 9. Add 3 to 8                                  | N/A |

If 9. is greater than \$1 million, there is likely an increase of regulatory costs in excess of \$1 million, and the rule must be submitted to the legislature for ratification.

**D. Good faith estimates (numbers/types):**

- The number of individuals and entities likely to be required to comply with the rule. *(Please provide a reasonable explanation for the estimate used for the number of individuals and methodology used for deriving the estimate).*

Large Counties	7
Medium Counties	29
Rural Counties	31
 Total	 67

- A general description of the types of individuals likely to be affected by the rule.

The E911 State Grant Program is a grant program provided for the purpose of assisting Florida counties, as defined by Section 365.172(6)(a)3.b., Florida Statutes, with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 (NG-911) systems. Any Board of County Commissioners in the State of Florida is eligible to apply. This modification is an update of the existing E911 State Grant Program rule and application. The E911 Board provides this State grant program utilizing E911 trust funds to provide all counties the opportunity to update, upgrade and enhance the 911 equipment.

**E. Good faith estimates (costs):**

- Cost to the department of implementing the proposed rule:

None. The department intends to implement the proposed rule within its current workload, with existing staff.

**Department of Management Services**  
**Statement Of Estimated Regulatory Costs (SERC)**

Minimal. *(Provide a brief explanation).*

Other. *(Please provide a reasonable explanation for the estimate used and methodology used for deriving the estimate).*

2. Cost to any other state and local government entities of implementing the proposed rule:

None. This proposed rule will only affect the department.

Minimal. *(Provide a brief explanation).*

Other. *(Please provide a reasonable explanation for the estimate used and methodology used for deriving the estimate).* Each county is the fiscal responsible agent for all emergency 911 communications requirements for each entity of local government in the county. All counties currently have established Enhanced 911 systems and the costs for compliance vary and depend on the counties' E911 fee revenue and on the number of Public Safety Answering Points (PSAP) established in the county. The grant program provides additional funding opportunities for allowable expenditures for the E911 emergency communication service in Section 365.172(9), Florida Statutes. The costs associated with this rule are minimal and limited to the grant application submission costs for printing and shipping and grant reporting costs.

3. Cost to the department of enforcing the proposed rule:

None. The department intends to enforce the proposed rule within its current workload with existing staff.

Minimal. *(Provide a brief explanation).*

Other. *(Please provide a reasonable explanation for the estimate used and methodology used for deriving the estimate).*

4. Cost to any other state and local government of enforcing the proposed rule:

None. This proposed rule will only affect the department.

Minimal. *(Provide a brief explanation).* Each county is the fiscal responsible agent for all emergency 911 communications requirements for each entity of local government in the county. The costs for enforcing the proposed rule within

**Department of Management Services**  
**Statement Of Estimated Regulatory Costs (SERC)**

the county will depend on whether a grant is submitted for a local agency PSAP which is designated by the county as part of the County 911 system. The costs associated with this proposed rule are minimal and limited to the grant application submission costs for printing and shipping and grant reporting costs.

Other. *(Please provide a reasonable explanation for the estimate used and methodology used for deriving the estimate).*

F. Good faith estimates (transactional costs) likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the proposed rule. *(Includes filing fees, cost of obtaining a license, cost of equipment required to be installed or used, cost of implementing processes and procedures, cost of modifying existing processes and procedures, additional operating costs incurred, cost of monitoring, and cost of reporting, or any other costs necessary to comply with the rule).*

None. This proposed rule will only affect the department.

Minimal. *(Provide a brief explanation).*

Other. *(Please provide a reasonable explanation for the estimate used and methodology used for deriving the estimate).* There are no filing or grant fees. The costs for grant application submission and reporting have been minimized by using an electronic reporting process and with minimal application submission paperwork requirements. Legislation provides for a capped \$0.50 fee on wireless and non-wireless communications services, that is collected and disbursed to the counties by the E911 Board, to offset the costs for E911 emergency communication service in Section 365.172(8), Florida Statutes. The allowable expenditures all for a County 911 Coordinator and assistant, two FTE positions, that can generate the paperwork required for the grant program.

G. An analysis of the impact on small business as defined by s. 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by s. 120.52, F.S. *(Includes:*

- *Why the regulation is needed [e.g., How will the regulation make the regulatory process more efficient? Required to meet changes in federal law? Required to meet changes in state law?];*
- *The type of small businesses that would be subject to the rule;*
- *The probable impact on affected small businesses [e.g., increased reporting requirements; increased staffing; increased legal or accounting fees?];*
- *The likely per-firm regulatory cost increase, if any).*

**Department of Management Services**  
**Statement Of Estimated Regulatory Costs (SERC)**

A small business is defined in Section 288.703, F.S., as "...an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments."

A small county is defined in Section 120.52(19), F.S., as "any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census." And, a small city is defined in Section 120.52(18), F.S., as "any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census."

The estimated number of small businesses that would be subject to the rule:

- 1-99                       100-499                       500-999  
 1,000-4,999               More than 5,000  
 Unknown, please explain:

Analysis of the impact on small business:

There is no small county or small city that will be impacted by this proposed rule.

A small county or small city will be impacted. Analysis: Only the counties that are applying for the grant program will be impacted. Funding is provided through the E911 fee authorized and imposed under Section 365.172, Florida Statutes, and disbursed under Section 365.173, Florida Statutes. Additionally, rural counties are provided special funding through the E911 Board Rural County Grant Program, including additional fee revenue to provide a minimum of \$7,000 per month regardless of the fee revenue generated by the fee collection from wireless subscribers in their county.

Lower impact alternatives were not implemented? Describe the alternatives and the basis for not implementing them.

H. Any additional information that the agency determines may be useful.

None.

Additional.

I. A description of any good faith written proposal for a lower cost regulatory alternative to the proposed rule which substantially accomplishes the objectives of the law

**Department of Management Services**  
**Statement Of Estimated Regulatory Costs (SERC)**

being implemented and either a statement adopting the alternative or a statement of the reasons rejecting the alternative in favor of the proposed rule.

No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

See attachment "A".

Adopted in entirety.

Adopted / rejected in part. *(Provide a description of the parts adopted or rejected, and provide a brief statement of the reasons adopting or rejecting this alternative in part).*

Rejected in entirety. *(Provide a brief statement of the reasons rejecting this alternative).*

DRAFT

Section 2. Section 215.971, Florida Statutes, is amended to read:

215.971 **Agreements funded with federal or state assistance.**—

(1) An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

(a) A provision specifying a scope of work that clearly establishes **the tasks that the recipient or subrecipient is required to perform.**

(b) A provision dividing the agreement into **quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.**

(c) A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required by the agreement. The provision can be excluded from the agreement only if financial consequences are prohibited by the federal agency awarding the grant. Funds refunded to a state agency from a recipient or subrecipient for failure to perform as required under the agreement may be expended only in direct support of the program from which the agreement originated.

(d) A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

(e) A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency.

(f) A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled under the terms and conditions of the agreement must be refunded to the state agency.

(g) Any additional information required pursuant to s. 215.97.

(2) For each agreement funded with federal or state financial assistance, the state agency shall designate an employee to function as a grant manager who shall be responsible for enforcing performance of the agreement's terms and conditions and who shall serve as a liaison with the recipient or subrecipient.

(a)1. Each grant manager who is responsible for agreements in excess of the threshold amount for CATEGORY TWO under s. 287.017 must, at a minimum, complete training conducted by the Chief Financial Officer for accountability in contracts and grant management.

2. Effective December 1, 2014, each grant manager responsible for agreements in excess of \$100,000 annually must complete the training and become a certified contract manager as provided under s. 287.057(14). All grant managers must become certified contract managers within 24 months after establishment of the training and certification requirements by the Department of Management Services and the Department of Financial Services.

(b) The Chief Financial Officer shall establish and disseminate uniform procedures for grant management pursuant to s. 17.03(3) to ensure that services have been rendered in accordance with agreement terms before the agency processes an invoice for payment.

(3) The Chief Financial Officer may adopt and disseminate to the agencies procedural and documentation standards for payment requests and may provide training and technical assistance to the agencies for these standards.

The procedures must include, but need not be limited to, procedures for monitoring and documenting recipient or subrecipient performance, reviewing and documenting all deliverables for which payment is requested by the recipient or subrecipient, and providing written certification by the grant manager of the agency's receipt of goods and services.

(c) The grant manager shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the recipient or subrecipient.

(3) After execution of a grant agreement, the Chief Financial Officer shall perform audits of the executed state and federal grant agreement documents and grant manager's records in order to ensure that adequate internal controls are in place for complying with the terms and conditions of such agreements and for validation and receipt of goods and services.

(a) At the conclusion of the audit, the Chief Financial Officer's designee shall discuss the audit and potential findings with the official whose office is subject to audit. The final audit report shall be submitted to the agency head.

(b) Within 30 days after receipt of the final audit report, the agency head shall submit to the Chief Financial Officer or designee his or her written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence.

## CHAPTER 215

### FINANCIAL MATTERS: GENERAL PROVISIONS

215.97 Florida Single Audit Act.

215.971 Agreements funded with federal and state assistance.

215.97 Florida Single Audit Act.—

(1) The purposes of the section are to:

- (a) Establish uniform state audit requirements for state financial assistance provided by state agencies to nonstate entities to carry out state projects.
- (b) Promote sound financial management, including effective internal controls, with respect to state financial assistance administered by nonstate entities.
- (c) Promote audit economy and efficiency by relying to the extent possible on already required audits of federal financial assistance provided to nonstate entities.
- (d) Provide for identification of state financial assistance transactions in the state accounting records and recipient organization records.
- (e) Promote improved coordination and cooperation within and between affected state agencies providing state financial assistance and nonstate entities receiving state assistance.
- (f) Ensure, to the maximum extent possible, that state agencies monitor, use, and followup on audits of state financial assistance provided to nonstate entities.

(2) Definitions; as used in this section, the term:

- (a) “Audit threshold” means the threshold amount used to determine when a state single audit or project-specific audit of a nonstate entity shall be conducted in accordance with this section. Each nonstate entity that expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year of such nonstate entity shall be required to have a state single audit, or a project-specific audit, for such fiscal year in accordance with the requirements of this section. Every 2 years the Auditor General, after consulting with the Executive Office of the Governor, the Department of Financial Services, and all state awarding agencies, shall review the threshold amount for requiring audits under this section and may adjust such threshold amount consistent with the purposes of this section.
- (b) “Auditing standards” means the auditing standards as stated in the rules of the Auditor General as applicable to for-profit organizations, nonprofit organizations, or local governmental entities.
- (c) “Catalog of State Financial Assistance” means a comprehensive listing of state projects. The Catalog of State Financial Assistance shall be issued by the Department of Financial Services after

conferring with the Executive Office of the Governor and all state awarding agencies. The Catalog of State Financial Assistance shall include for each listed state project: the responsible state awarding agency; standard state project number identifier; official title; legal authorization; and description of the state project, including objectives, restrictions, application and awarding procedures, and other relevant information determined necessary.

(d) "Coordinating agency" means the state awarding agency that provides the predominant amount of state financial assistance expended by a recipient, as determined by the recipient's Schedule of Expenditures of State Financial Assistance. To provide continuity, the determination of the predominant amount of state financial assistance shall be based upon state financial assistance expended in the recipient's fiscal years ending in 2006, 2009, and 2012, and every third year thereafter.

(e) "Financial reporting package" means the nonstate entities' financial statements, Schedule of Expenditures of State Financial Assistance, auditor's reports, management letter, auditee's written responses or corrective action plan, correspondence on followup of prior years' corrective actions taken, and such other information determined by the Auditor General to be necessary and consistent with the purposes of this section.

(f) "Federal financial assistance" means financial assistance from federal sources passed through the state and provided to nonstate organizations to carry out a federal program. "Federal financial assistance" includes all types of federal assistance as defined in applicable United States Office of Management and Budget circulars.

(g) "For-profit organization" means any organization or sole proprietor that is not a governmental entity or a nonprofit organization.

(h) "Independent auditor" means an independent certified public accountant licensed under chapter 473.

(i) "Internal control over state projects" means a process, effected by a nonstate entity's management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations.
2. Reliability of financial operations.
3. Compliance with applicable laws and regulations.

(j) "Local governmental entity" means a county as a whole, municipality, or special district or any other entity excluding a district school board, charter school, community college, or public university, however styled, which independently exercises any type of governmental function within the state.

(k) “Major state project” means any state project meeting the criteria as stated in the rules of the Department of Financial Services. Such criteria shall be established after consultation with all state awarding agencies and shall consider the amount of state project expenditures and expenses or inherent risks. Each major state project shall be audited in accordance with the requirements of this section.

(l) “Nonprofit organization” means any corporation, trust, association, cooperative, or other organization that:

1. Is operated primarily for scientific, educational service, charitable, or similar purpose in the public interest.
2. Is not organized primarily for profit.
3. Uses net proceeds to maintain, improve, or expand the operations of the organization.
4. Has no part of its income or profit distributable to its members, directors, or officers.

(m) “Nonstate entity” means a local governmental entity, nonprofit organization, or for-profit organization that receives state financial assistance.

(n) “Recipient” means a nonstate entity that receives state financial assistance directly from a state awarding agency.

(o) “Schedule of Expenditures of State Financial Assistance” means a document prepared in accordance with the rules of the Department of Financial Services and included in each financial reporting package required by this section.

(p) “State awarding agency” means a state agency, as defined in s. 216.011, that is primarily responsible for the operations and outcomes of a state project, regardless of the state agency that actually provides state financial assistance to a nonstate entity.

(q) “State financial assistance” means state resources, not including federal financial assistance and state matching on federal programs, provided to a nonstate entity to carry out a state project. “State financial assistance” includes the types of state resources stated in the rules of the Department of Financial Services established in consultation with all state awarding agencies. State financial assistance may be provided directly by state awarding agencies or indirectly by nonstate entities. “State financial assistance” does not include procurement contracts used to buy goods or services from vendors and contracts to operate state-owned and contractor-operated facilities.

(r) “State matching” means state resources provided to a nonstate entity to meet federal financial participation matching requirements.

(s) “State program” means a set of special purpose activities undertaken to realize identifiable goals and objectives in order to achieve a state agency’s mission and legislative intent requiring

accountability for state resources.

(t) “State project” means a state program that provides state financial assistance to a nonstate organization and that must be assigned a state project number identifier in the Catalog of State Financial Assistance.

(u) “State Projects Compliance Supplement” means a document issued by the Department of Financial Services, in consultation with all state awarding agencies. The State Projects Compliance Supplement shall identify state projects, the significant compliance requirements, eligibility requirements, matching requirements, suggested audit procedures, and other relevant information determined necessary.

(v) “State project-specific audit” means an audit of one state project performed in accordance with the requirements of subsection (10).

(w) “State single audit” means an audit of a nonstate entity’s financial statements and state financial assistance. Such audits shall be conducted in accordance with the auditing standards as stated in the rules of the Auditor General.

(x) “Subrecipient” means a nonstate entity that receives state financial assistance through another nonstate entity.

(y) “Vendor” means a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a state project. These goods or services may be for an organization’s own use or for the use of beneficiaries of the state project.

(3) The Executive Office of the Governor is responsible for notifying the Department of Financial Services of any actions during the budgetary process that impact the Catalog of State Financial Assistance.

(4) The Department of Financial Services shall:

(a) Upon conferring with the Executive Office of the Governor and all state awarding agencies, adopt rules necessary to provide appropriate guidance to state awarding agencies, nonstate entities, and independent auditors of state financial assistance relating to the requirements of this section, including:

1. The types or classes of state resources considered to be state financial assistance that would be subject to the requirements of this section. This would include guidance to assist in identifying when the state awarding agency or a nonstate entity has contracted with a vendor rather than with a recipient or subrecipient.
2. The criteria for identifying a major state project.
3. The criteria for selecting state projects for audits based on inherent risk.

- (b) Be responsible for coordinating revisions to the Catalog of State Financial Assistance after consultation with the Executive Office of the Governor and all state awarding agencies.
  - (c) Be responsible for coordinating with the Executive Office of the Governor actions affecting the budgetary process under paragraph (b).
  - (d) Be responsible for coordinating revisions to the State Projects Compliance Supplement, after consultation with the Executive Office of the Governor and all state awarding agencies.
  - (e) Make enhancements to the state's accounting system to provide for the:
    1. Recording of state financial assistance and federal financial assistance appropriations and expenditures within the state awarding agencies' operating funds.
    2. Recording of state project number identifiers, as provided in the Catalog of State Financial Assistance, for state financial assistance.
    3. Establishment and recording of an identification code for each financial transaction, including awarding state agencies' disbursements of state financial assistance and federal financial assistance, as to the corresponding type or organization that is party to the transaction (e.g., other governmental agencies, nonprofit organizations, and for-profit organizations), and disbursements of federal financial assistance, as to whether the party to the transaction is or is not a nonstate entity.
  - (f) Upon conferring with the Executive Office of the Governor and all state awarding agencies, adopt rules necessary to provide appropriate guidance to state awarding agencies, nonstate entities, and independent auditors of state financial assistance relating to the format for the Schedule of Expenditures of State Financial Assistance.
  - (g) Perform any inspections, reviews, investigations, or audits of state financial assistance considered necessary in carrying out the Department of Financial Services' legal responsibilities for state financial assistance or to comply with the requirements of this section.
- (5) Each state awarding agency shall:
- (a) Provide to each recipient information needed by the recipient to comply with the requirements of this section, including:
    1. The audit and accountability requirements for state projects as stated in this section and applicable rules of the Department of Financial Services and rules of the Auditor General.
    2. Information from the Catalog of State Financial Assistance, including the standard state project number identifier; official title; legal authorization; and description of the state project including objectives, restrictions, and other relevant information determined necessary.
    3. Information from the State Projects Compliance Supplement, including the significant compliance requirements, eligibility requirements, matching requirements, suggested audit

procedures, and other relevant information determined necessary.

- (b) Require the recipient, as a condition of receiving state financial assistance, to allow the state awarding agency, the Department of Financial Services, and the Auditor General access to the recipient's records and the recipient's independent auditor's working papers as necessary for complying with the requirements of this section.
- (c) Notify the recipient that this section does not limit the authority of the state awarding agency to conduct or arrange for the conduct of additional audits or evaluations of state financial assistance or limit the authority of any state awarding agency inspector general, the Auditor General, or any other state official.
- (d) Be provided one copy of each financial reporting package prepared in accordance with the requirement of this section.
- (e) Review the recipient's financial reporting package, including the management letters and corrective action plans, to the extent necessary to determine whether timely and appropriate corrective action has been taken with respect to audit findings and recommendations pertaining to state financial assistance that are specific to the state awarding agency.
- (f) Designate within the state awarding agency an organizational unit that will be responsible for reviewing financial reporting packages pursuant to paragraph (e).

If the state awarding agency is not the coordinating agency as defined in paragraph (2)(d), the state awarding agency's designated organizational unit shall communicate to the coordinating agency the state awarding agency's approval of the recipient's corrective action plan with respect to findings and recommendations that are not specific to the state awarding agency.

- (6) Each coordinating agency shall:
  - (a) Review the recipient's financial reporting package, including the management letter and corrective action plan, to identify audit findings and recommendations that affect state financial assistance that are not specific to a particular state awarding agency.
  - (b) For any findings and recommendations identified pursuant to paragraph (a):
    1. Determine whether timely and appropriate corrective action has been taken.
    2. Promptly inform the state awarding agency, as provided in paragraph (5)(f), of actions taken by the recipient to comply with the approved corrective action plan.
  - (c) Maintain records of followup actions taken for the use of any succeeding coordinating agency.
- (7) As a condition of receiving state financial assistance, each nonstate entity that provides state financial assistance to a subrecipient shall:

(a) Provide to each subrecipient information needed by the subrecipient to comply with the requirements of this section, including:

1. Identification of the state awarding agency.
2. The audit and accountability requirements for state projects as stated in this section and applicable rules of the Department of Financial Services and rules of the Auditor General.
3. Information from the Catalog of State Financial Assistance, including the standard state project number identifier; official title; legal authorization; and description of the state project, including objectives, restrictions, and other relevant information.
4. Information from the State Projects Compliance Supplement including the significant compliance requirements, eligibility requirements, matching requirements, and suggested audit procedures, and other relevant information determined necessary.

(b) Review the financial reporting package of the subrecipient, including the management letter and corrective action plan, to the extent necessary to determine whether timely and appropriate corrective action has been taken with respect to audit findings and recommendations pertaining to state financial assistance provided by a state awarding agency or nonstate entity.

(c) Perform any other procedures specified in terms and conditions of the written agreement with the state awarding agency or nonstate entity, including any required monitoring of the subrecipient's use of state financial assistance through onsite visits, limited scope audits, or other specified procedures.

(d) Require subrecipients, as a condition of receiving state financial assistance, to permit the independent auditor of the nonstate entity, the state awarding agency, the Department of Financial Services, and the Auditor General access to the subrecipient's records and the subrecipient's independent auditor's working papers as necessary to comply with the requirements of this section.

(8) Each recipient or subrecipient of state financial assistance shall comply with the following:

(a) Each nonstate entity that meets the audit threshold requirements, in any fiscal year of the nonstate entity, stated in the rules of the Auditor General, shall have a state single audit conducted for such fiscal year in accordance with the requirements of this act and with additional requirements established in rules of the Department of Financial Services and rules of the Auditor General. If only one state project is involved in a nonstate entity's fiscal year, the nonstate entity may elect to have only a state project-specific audit.

(b) Each nonstate entity that does not meet the audit threshold requirements, in any fiscal year of the nonstate entity, stated in this law or the rules of the Auditor General is exempt for such fiscal year from the state single audit requirements of this section. However, such nonstate entity must meet terms and conditions specified in the written agreement with the state awarding agency or

nonstate entity.

(c) If a nonstate entity has extremely limited or no required activities related to the administration of a state project, and only acts as a conduit of state financial assistance, none of the requirements of this section apply to the conduit nonstate entity. However, the nonstate entity that is provided state financial assistance by the conduit nonstate entity is subject to the requirements of this section.

(d) Regardless of the amount of the state financial assistance, this section does not exempt a nonstate entity from compliance with provisions of law relating to maintaining records concerning state financial assistance to such nonstate entity or allowing access and examination of those records by the state awarding agency, the nonstate entity, the Department of Financial Services, or the Auditor General.

(e) Audits conducted pursuant to this section shall be performed annually.

(f) Audits conducted pursuant to this section shall be conducted by independent auditors in accordance with auditing standards stated in rules of the Auditor General.

(g) Upon completion of the audit required by this section, a copy of the recipient's financial reporting package shall be filed with the state awarding agency and the Auditor General. Upon completion of the audit required by this section, a copy of the subrecipient's financial reporting package shall be filed with the nonstate entity that provided the state financial assistance and the Auditor General. The financial reporting package shall be filed in accordance with the rules of the Auditor General.

(h) All financial reporting packages prepared pursuant to this section shall be available for public inspection.

(i) If an audit conducted pursuant to this section discloses any significant audit findings relating to state financial assistance, including material noncompliance with individual state project compliance requirements or reportable conditions in internal controls of the nonstate entity, the nonstate entity shall submit as part of the financial reporting package to the state awarding agency or nonstate entity a plan for corrective action to eliminate such audit findings or a statement describing the reasons that corrective action is not necessary.

(j) An audit conducted in accordance with this section is in addition to any audit of federal awards required by the federal Single Audit Act and other federal laws and regulations. To the extent that such federally required audits provide the state awarding agency or nonstate entity with information it requires to carry out its responsibilities under state law or other guidance, the state awarding agency or nonstate entity shall rely upon and use that information.

(k) Unless prohibited by law, the costs of audits pursuant to this section are allowable charges to state projects. However, any charges to state projects should be limited to those incremental costs incurred as a result of the audit requirements of this section in relation to other audit requirements.

The nonstate entity should allocate such incremental costs to all state projects for which it expended state financial assistance.

(l) Audit costs may not be charged to state projects when audits required by this section have not been made or have been made but not in accordance with this section. If a nonstate entity fails to have an audit conducted consistent with this section, a state awarding agency or nonstate entity may take appropriate corrective action to enforce compliance.

(m) This section does not prohibit the state awarding agency or nonstate entity from including terms and conditions in the written agreement which require additional assurances that state financial assistance meets the applicable requirements of laws, regulations, and other compliance rules.

(n) A state awarding agency or nonstate entity that conducts or arranges for audits of state financial assistance that are in addition to the audits conducted under this act, including audits of nonstate entities that do not meet the audit threshold requirements, shall, consistent with other applicable law, arrange for funding the full cost of such additional audits.

(o) A contract involving the State University System or the Florida Community College System funded by state financial assistance may be in the form of:

1. A fixed-price contract that entitles the provider to receive full compensation for the fixed contract amount upon completion of all contract deliverables;
2. A fixed-rate-per-unit contract that entitles the provider to receive compensation for each contract deliverable provided;
3. A cost-reimbursable contract that entitles the provider to receive compensation for actual allowable costs incurred in performing contract deliverables; or
4. A combination of the contract forms described in subparagraphs 1., 2., and 3.

(9) The independent auditor when conducting a state single audit of a nonstate entity shall:

(a) Determine whether the nonstate entity's financial statements are presented fairly in all material respects in conformity with generally accepted accounting principles.

(b) Determine whether state financial assistance shown on the Schedule of Expenditures of State Financial Assistance is presented fairly in all material respects in relation to the nonstate entity's financial statements taken as a whole.

(c) With respect to internal controls pertaining to each major state project:

1. Obtain an understanding of internal controls.
2. Assess control risk.

3. Perform tests of controls unless the controls are deemed to be ineffective.
4. Determine whether the nonstate entity has internal controls in place to provide reasonable assurance of compliance with the provisions of laws and rules pertaining to state financial assistance that have a material effect on each major state project.

(d) Determine whether each major state project complied with the provisions of laws, rules, and guidelines as identified in the State Projects Compliance Supplement, or otherwise identified by the state awarding agency, which have a material effect on each major state project. When major state projects are less than 50 percent of the nonstate entity's total expenditures for all state financial assistance, the auditor shall select and test additional state projects as major state projects as necessary to achieve audit coverage of at least 50 percent of the expenditures for all state financial assistance provided to the nonstate entity. Additional state projects needed to meet the 50-percent requirement may be selected on an inherent risk basis as stated in the rules of the Department of Financial Services.

(e) Report on the results of any audit conducted pursuant to this section in accordance with the rules of the Department of Financial Services and rules of the Auditor General. Financial reporting packages shall include summaries of the auditor's results regarding the nonstate entity's financial statements; Schedule of Expenditures of State Financial Assistance; internal controls; and compliance with laws, rules, and guidelines.

(f) Issue a management letter as prescribed in the rules of the Auditor General.

(g) Upon notification by the nonstate entity, make available the working papers relating to the audit conducted pursuant to this section to the state awarding agency, the Department of Financial Services, or the Auditor General for review or copying.

(10) The independent auditor, when conducting a state project-specific audit of a nonstate entity, shall:

(a) Determine whether the nonstate entity's schedule of Expenditure of State Financial Assistance is presented fairly in all material respects in conformity with stated accounting policies.

(b) Obtain an understanding of internal controls and perform tests of internal controls over the state project consistent with the requirements of a major state project.

(c) Determine whether or not the auditee has complied with applicable provisions of laws, rules, and guidelines identified in the State Projects Compliance Supplement, or otherwise identified by the state awarding agency, which could have a direct and material effect on the state project.

(d) Report on the results of the state project-specific audit consistent with the requirements of the state single audit and issue a management letter as prescribed in the rules of the Auditor General.

(e) Upon notification by the nonstate entity, make available the working papers relating to the

audit conducted pursuant to this section to the state awarding agency, the Department of Financial Services, or the Auditor General for review or copying.

(11) The Auditor General shall:

- (a) Have the authority to audit state financial assistance provided to any nonstate entity when determined necessary by the Auditor General or when directed by the Legislative Auditing Committee.
- (b) Adopt rules that state the auditing standards that independent auditors are to follow for audits of nonstate entities required by this section.
- (c) Adopt rules that describe the contents and the filing deadlines for the financial reporting package.
- (d) Provide technical advice upon request of the Department of Financial Services and state awarding agencies relating to financial reporting and audit responsibilities contained in this section.
- (e) Be provided one copy of each financial reporting package prepared in accordance with this section.
- (f) Perform ongoing reviews of a sample of financial reporting packages filed pursuant to this section to determine compliance with the reporting requirements of this section and applicable rules of the Department of Financial Services and rules of the Auditor General.

History.—s. 2, ch. 98-91; s. 58, ch. 2000-371; s. 233, ch. 2003-261; s. 11, ch. 2005-152; ss. 14, 16, ch. 2006-122.

Note.—Former s. 216.3491.

215.971 Agreements funded with federal and state assistance.—For an agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, the agreement shall include:

- (1) A provision specifying a scope of work that clearly establishes the tasks that the recipient or subrecipient is required to perform; and
- (2) A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

History.—s. 8, ch. 2010-151.

CHANGE REQUESTS and PETITION for VARIANCE

FLORIDA E911 BOARD MEETING for JULY 2013

	COUNTY	GRANT CYCLE or #	Grant Type	AMOUNT AWARDED	AMOUNT SPENT	REMAINING FUNDS	CURRENT EXPIRATION	CHANGE REQUEST TYPE				COMMENTS
								Time	Scope	Interest	Final	
No Board Action Required	Duval	S4-11-06-05	State	\$2,539,000.75	\$1,106,220.00	\$1,432,780.75	06/2013*				N	Final report and close-out documents expected in July 2013.
	Holmes	S4-11-06-11	State	\$263,672.09	\$263,672.09	\$0.00	06/2013*				V	Final report received. Close-out documents to be reviewed this quarter.
	Lafayette	S4-11-06-14	State	\$195,517.25	\$48,879.31	\$146,637.94	06/2013*				N	Final report and close-out documents expected in July 2013.
	Lake	S4-11-07-28	State	\$100,076.35	\$0.00	\$100,076.35	07/2013*				N	Final report and close-out documents expected in July 2013.
	Lake	S4-11-07-35	State	\$161,581.76	\$0.00	\$161,581.76	07/2013*				N	Final report and close-out documents expected in July 2013.
	Lake	S2-09-01-20	State	\$1,156,159.78	\$1,156,159.78	\$0.00	07/2013*				N	Final report and close-out documents expected in July 2013.
	Orange	S2-09-01-17	State	\$279,680.00	\$277,623.53	\$2,056.47	07/2013*				N	Final report and close-out documents expected in July 2013.
	Taylor	S4-11-07-23	State	\$250,077.30	\$0.00	\$250,077.30	07/2013*				N	Final report and close-out documents expected in July 2013.
	Walton	S4-11-07-24	State	\$236,952.02	\$0.00	\$236,952.02	07/2013*				N	Final report and close-out documents expected in July 2013.
	Walton	12-04-36	Rural	\$48,035.30	\$0.00	\$48,035.30	07/2013*				N	Final report and close-out documents expected in July 2013.
Petition for Variance	Okaloosa	<a href="#">S2-09-01-16</a>	State	\$1,117,560.01	\$1,117,560.01	\$0.00	07/2013	3 Mos.				Project linked with Walton County grant (S2-09-01-19); request extension to October 2013, for Walton County to complete the regional network installation, final acceptance, and payment of invoices.
	Walton	<a href="#">S2-09-01-19</a>	State	\$1,102,869.00	\$593,750.06	\$509,118.94	07/2013*	3 Mos.				Project linked with Okaloosa County grant (S2-09-01-16); request extension to Oct. 2013, to complete the regional network installation, final acceptance, and payment of invoices.
	Charlotte	<a href="#">S4-11-06-03</a>	State	\$103,216.00	\$0.00	\$103,216.00	06/2013	3-6 Mos.				County nearing final stages of implementation. County is submitting a petition for variance of rule for time extension beyond 2 years, to complete the project and submit all close-out documents.

Appendix I

**Request for Change**

Name of  
County:

OKALOOSA – S2-09-1-16

BUDGET LINE ITEM	CHANGE FROM	CHANGE TO
<b>TOTAL</b>		

Justification For Change:

**This is a time extension request only for an additional three month period for the project completion, on the Walton County side of the project. This request is to run concurrent with the extension request Walton County is submitting for the July 2013 E911 Board Meeting.**

**All equipment and upgrades have been installed in Okaloosa County, final invoice paid and the Final Grant Reporting and return of funds made. Walton County is completing testing and invoicing. We anticipate no longer than a three month period to complete the Walton County portion of the project.**



Signature of Authorized Official

6-27-13

Date

For E911 Board use only.

Approved: Yes  No

\_\_\_\_\_

Appendix II

**Request for Change**

Name of County: Walton—S2-09-01-19

BUDGET LINE ITEM	CHANGE FROM	CHANGE TO
EQ NB 911 Selective Router NRC	\$497,661.50	\$497,661.50
ANI/ALI Database Server	406,577.96	406,577.96
1 <sup>st</sup> Year Maintenance on ANI/ALI Server	78,422.04	78,422.04
My Florida Network	114,135.00	114,135.00
Non-Recurring Fee	6,072.50	6,072.50
<b>TOTAL</b>	<b>\$1,102,869.00</b>	<b>\$1,102,869.00</b>

**Justification For Change:**

This is a time extension request only for an additional three month period, until October 2013. This project has been completed and tested. The time extension will allow for invoicing and payment to be completed and the closing of the grant. We anticipate payments and closing no later than the three month extension period.

Blinda Farmer

Signature of Authorized Official

**June 28, 2013**

Date

For E911 Board use only.

Approved: Yes  No

\_\_\_\_\_  
E911 Board's Authorized Representative

\_\_\_\_\_  
Date

BEFORE THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES  
DIVISION OF TELECOMMUNICATIONS

PETITION FOR VARIANCE FROM RULE 60FF-5.003

Petitioner, CHARLOTTE COUNTY, by and through its undersigned counsel, pursuant to Section 120.542, Florida Statutes, hereby requests a variance from Rule 60FF-5.003, Florida Administrative Code, and in support of thereof states:

1. Charlotte County applied for and received a grant, Grant S4-11-06-03 ESI Net Install.
2. Rule 60FF-5.003(b)6., Florida Administrative Code, states “[e]xpiration of the right to incur costs: Two years from receipt of award and funds.”
3. Charlotte County has been diligently working with Cassidian to get this project accomplished by the deadline. However, the deadline is June 30, 2013, and while the project is close to being installed, it will not be possible to have it completed in time.
4. When the grant was requested, the Cassidian ESI Net was in beta testing in Catawba, North Carolina. It was expected to be finished soon after the grant was applied for; however, there were delays in the beta testing.
5. In order to move forward on this project, Charlotte County agreed to be a beta test site for Cassidian, issued a Purchase Order, and received the equipment.
6. The technical issues are complex and have taken more time than projected and scheduled. More specifically, Cassidian and Intrado immediately began working on the technical specifications to be able to deliver the calls through the Cassidian equipment. However, the engineers have had to consider various technical options to make the project work due to the diverse nature of our ESInet (County fiber, microwave network and Intrado IEN network) and the PSAP setups that we cannot afford to lose.

7. Intrado indicated that they are close to having a solution, but they will not be able to have it ready by June 30, 2013, because their engineers are not available until July 29, 2013, at the earliest. In the meantime, however, Cassidian can install their equipment so it will be ready when Intrado is able to connect and deliver calls to it.
8. The State's rule limiting the "expiration of the right to incur costs" to "two years from receipt of award and funds" needs to be varied to allow more time because of the unique situation presented by Cassidian and Intrado experiencing complex technological difficulties with beta testing, integrating systems, and installing a new interface, all of which are outside of Charlotte County's control. Strict application of the two year time frame would create a substantial hardship for Charlotte County or would violate the principles of fairness. A substantial hardship is present because the two year time limit rule presents an economical and technological hardship to the County. Charlotte County does not have sufficient funds to pay for this project and it requires the grant funding for completion. Additionally, the principles of fairness would be violated by the literal application of the rule because the rule affects Charlotte County in a manner significantly different from the way it affects other counties. Counties that are not upgrading to Next Generation technology do not have to worry about complex technological difficulties experienced with beta testing, integrating systems, and installing a new interface.
9. In compliance with Subsection 120.542, Florida Statutes, Charlotte County hereby states:
  - a. The rule from which a variance is requested is 60FF-5.003, Florida Administrative Code.

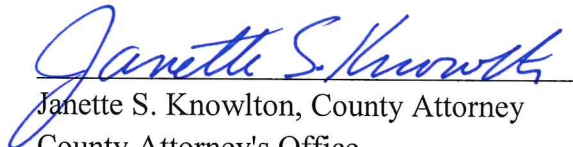
- b. The type of action requested is a variance of the rule to allow the grant to survive an additional ninety (90) to one-hundred eighty (180) days. The requested variance is only temporary.
- c. The specific facts that would justify the rule variance are stated in paragraphs 3 through 8 above.
- d. The variance would serve the purpose of the underlying statute. The underlying statute, Paragraph 365.172.(6)(a)3.b., Florida Statutes, allows monies to be used by the board as needed to provide grants to counties for the purpose of upgrading E911 systems. The requested monies would serve these purposes. Extending the grant an additional ninety (90) to one-hundred eighty (180) days would allow Charlotte County to take the next step and move forward with Next Generation technologies. Charlotte County currently has 9-1-1 calls being delivered to our agency via IP, converted to CAMA, and then converted back to IP. It is Charlotte County's goal to remove all legacy technology and remove the CAMA trunks that have fully functional IP to IP connectivity. Installing this new ESI Net Interface Module will allow this to occur. With a dedicated public safety grade IP network to an IP enabled CPE, a whole host of Next Generation services are possible. This includes text messaging, A9-1-1 Media, and A9-1-1 data applications, and it becomes possible for policy based routing. Additionally, Charlotte County would be grateful to have the opportunity to begin receiving text messaging as well as other Next Generation information as soon as it is provided by the cellular companies, which should be in the very near future. Not only does Charlotte

County want to be leaders in the industry by being able to deliver Next Generation services to our community, but having this technology in place will result in a time savings for the caller from when the call is placed to the time it is received in the PSAP. By reducing the hardware that the calls have to pass through, it will ultimately reduce the time taken before the call is answered in the dispatch center. In addition to time reduction, it will also reduce chances for a single point of failure due to additional hardware required to convert IP to CAMA and back to IP.

10. The County's address is: Charlotte County, 18500 Murdock Circle #573, Port Charlotte, FL 33948-1094; phone number 941.743.1330; and fax number 941.743.1550. The County's point person of contact for this petition shall be the undersigned attorney at the contact information provided below.

WHEREFORE, based on these facts and circumstances, Charlotte County hereby requests a ninety (90) to one-hundred eighty (180) day extension from the date of approval in order to schedule the engineers and have the interface installed.

Respectfully submitted,

  
Janette S. Knowlton, County Attorney

County Attorney's Office  
18500 Murdock Circle #573  
Port Charlotte, FL 33948-1094  
941.743.1330 [PH]  
941.743.1550 [FAX]



Sheriff of Charlotte County

7474 Utilities Road  
Punta Gorda, Florida 33982  
(941) 639-2101

**Re: Charlotte County E911**

**Grant S4-11-06-03 ESI Net Install**

I am writing this letter to request a grant extension by the E911 State Board. My spending authority for this grant ends on June 30, 2013. I have been working with Cassidian to get this project accomplished by the deadline date however; we are down to the week before the deadline date and while we are so close to having it installed, it will not be possible to have it complete by June 30<sup>th</sup>.

When the grant was requested, the Cassidian ESI Net was in beta testing in Catawba, NC. It was expected to be finished soon after our grant was applied for however there were delays in the beta testing. Our agency was awarded the grant while the product was still in beta testing. When I took this position as the E911 Administrator, I followed up on the status of the ESI Net beta test several times.

I was concerned about having this grant but being unable to spend the money before the one year mark. (End of the grant cycle) As the year mark approached, I requested a grant extension as I was being advised that they were still in beta testing. As more time passed, I agreed with Cassidian to be a beta test site in order to move forward on this project. Once I agreed and a PO was issued, the equipment was received and is currently in my possession. Cassidian and Intrado began working on the technical specifications to be able to deliver the calls through the Cassidian equipment. Due to the diverse nature of our ESInet (County fiber, microwave network and Intrado IEN network) and the PSAP setups that we cannot afford to lose; the engineers have had to consider various technical options to make it work. These technical issues are complex and have taken more time than projected and scheduled. I have spoken with Intrado and they are close to having a solution but will not be able to have it ready by June 30<sup>th</sup>. Cassidian can install their equipment in the mean time until Intrado is ready to connect and deliver calls to it but they don't have engineers available until July 29<sup>th</sup>. This has left me with no choice but to request for another grant extension or return the money to the board and reapply for the grant again at the next grant cycle in hopes that they have a state grant program and that the money is awarded back to this organization.

At this time, local funds are not available to fund this project and will require grant funding to complete. Our organization is ready to take the next step and move forward with Next Generation technologies. We currently have 9-1-1 calls being delivered to our agency via IP but converted to CAMA and converted back to IP. It is our goal to remove all legacy technology and remove the CAMA trunks and have fully functional IP to IP

connectivity. Installing this ESI Net Interface Module will allow this to occur. With a dedicated public safety grade IP network to an IP enabled CPE – a whole host of next generation services are possible, Text messaging, A9-1-1 Media, and A9-1-1 data applications and it becomes possible for policy based routing.

We would be grateful to have the opportunity to begin receiving text messaging as well as other next generation information as soon it is provided by the cellular companies which to my understanding is in the very near future. Not only do we want to be leaders in the industry by being able to deliver next generation services to our community but having this technology in place will result in a time savings for the caller from when the call is placed to the time it is received in the PSAP. By reducing the hardware that the calls have to pass through will ultimately reduce the time taken before the call is answered in the dispatch center. In addition to time reduction, it will also reduce chances for a single point of failure due to additional hardware required to convert IP to CAMA back to IP.

I am asking for E911 Board direction on if and how this project funding can be extended. If an extension is approved, we would need three months from the date of approval in order to schedule the engineers and install the interface. Any assistance in the continuation of this project is appreciated.

Sincerely,

*Laurene J. Anderson*

Laurene J. Anderson  
E911 Administrator  
Charlotte County Sheriff's Office  
7474 Utilities Rd.  
Punta Gorda, FL 33982

Appendix II

**Request for Change**

Name of County: Charlotte County E911 (S4-11-06-03)

BUDGET LINE ITEM	CHANGE FROM	CHANGE TO
ESI Net interface module	103,216.00	No change in cost
<b>TOTAL</b>	<b>\$</b>	<b>\$</b>

**Justification For Change:**  
I am not requesting a change in the amount of money but an extension for spending authority on this grant. Please see the attached letter with explanation of details regarding this matter.

Laurene J. Anderson **06/20/2013**  
\_\_\_\_\_  
Signature of Authorized Official Date

For E911 Board use only.

Approved: Yes  No

\_\_\_\_\_  
E911 Board's Authorized Representative Date

**Suggested Mission Statements for your review and vote:**

- 1) Assist Florida counties in the advancement of 911 services through educational funding and technological guidance and provide a road map for Next Generation 911.
- 2) Dedicated to serving the vital link between the public and public safety organization through responsiveness and technical excellence while in partnership with the users and employees.
- 3) Provide statewide emergency telecommunications systems accessible to everyone and to administer and oversee its operation.

# **Adjourn**

**August 14-15, 2013, 9:00 a.m. – until conclusion of business**

**Sandestin Luau Hotel**

**Destin, Florida**