

Arizona Department of Public Safety

Fentanyl Diversion, Prosecution and Testing Fund



This document is developed and maintained by the Arizona Department of Public Safety

For more information, contact:

Mike Dodd
Fiscal Officer
(w) (602) 223-2463
MDodd@azdps.gov

Daniele Casper
Grant Project Manager
DCasper@azdps.gov

Group email: grants@azdps.gov

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The Arizona Department of Public Safety (AZDPS) will grant funding awards to applicants on a first come, first serve basis to criminal justice agencies until depletion of the total fund. The purpose of this fund shall be to enhance law enforcement services concerning criminal activities associated with the investigation, testing, and prosecution or diversion of crimes involving A.R.S. §13-3408.

There is a remaining balance of \$357,938.64 for FY26.

Eligible recipients shall submit an application with a detailed scope of work narrative outlining the priorities and objectives in alignment with the information below. Applications for the FY26 award will be accepted until all remaining funds are depleted. Included in the application should be a detailed budget and any other supporting materials (i.e., Memorandums of Understanding, data, research, letters of support and position descriptions as appropriate).

Allowable/Prioritized Cost:

Applicants are encouraged to develop multi-disciplinary approaches. Agencies are further encouraged to develop programs that address fentanyl related crimes, use and prevention. Agencies may work with state and local partners to provide training, analytical services, and develop or deploy additional tools to support diversion, testing and prosecution of crimes related to fentanyl.

Issuance of Recipient Agreement

Upon final review and approval of the recipient application, AZDPS will generate a fund agreement, which will be sent to the recipient along with any special conditions. When the agreement has been signed and returned, the agreement will be signed and dated by the AZDPS Director. A fully executed copy will then be forwarded to the recipient for their records. Receipt of the agreement conveys authorization for the recipient to initiate their project(s) as identified in the approved application. A fully signed and executed agreement must be on file with AZDPS prior to any issuance of reimbursement for eligible costs incurred.

Quarterly Reporting Requirements

In accordance with pass-through requirements, AZDPS is required to track quarterly progress of the funds. Recipients will be monitored periodically by AZDPS, both programmatically and financially, to ensure that the project goals, objectives, timelines, budgets [as stated by the applicant/recipient and approved by AZDPS] and other related program criteria are being met. The priorities, initiatives, and other projects outlined and submitted within the application are the mechanism that allows this tracking. **As such, regardless of whether the recipient is requesting quarterly reimbursement and providing financial reports and supporting documentation, submission of quarterly report updates to indicate what progress has been made during each quarter is required.** This process shall be repeated throughout the period of performance.

Programmatic and financial reports are required for each reporting period. Due dates are:

Quarter	Due Date	Performance Period
1	October 15	July 1 - September 30
2	January 15	October 1 - December 31
3	April 15	January 1 - March 31
4	July 15	April 1 - June 30

Final reimbursement request is due 30 days after the end of the period of performance or the completion of the project.

If additional documentation is needed to support the final reimbursement, contact will be made to the subrecipient agency. If all documentation to support final reimbursement is not received within 30 days from the period of performance, final reimbursement will be based on documentation received. Documentation received after the deadline date will not be accepted.

Quarterly Programmatic Reports document all the fentanyl diversion, prosecution and testing related activities undertaken by the jurisdiction during the reporting period. The quarterly programmatic reports shall be e-mailed to the AZDPS Grants Program Coordinator at grants@azdps.gov. Jurisdictions are expected to complete, and report progress of the overall set of tasks, priorities, and initiatives outlined in their approved application during each quarter of the fiscal year.

Each quarter that shows progress towards completion of recipient's stated and AZDPS approved fentanyl diversion, prosecution and testing funded activities must be documented with new information in a quarterly report. Failure to update programmatic activities outline reports for each quarter will result in delayed reimbursement. Additionally, lack of progressive progress could result in de-obligation of funds. Any de-obligated funds will be reprogrammed by the state to projects that can be completed within the period of performance. If a "supplemental" funding opportunity becomes available, only the fentanyl diversion, prosecution and testing fund recipients that have met the quarterly requirements will be notified and eligible to apply.

A Quarterly Financial Expenditure Reports document requests for reimbursement and all related expenditures. Quarterly financial reports shall be emailed to grants@azdps.gov and contain proper signatures. Please email or mail them to allow for time to arrive by the due date as indicated above. If financial reports cannot be submitted by the due date, please make notification to AZDPS via email, and include circumstances which have prevented the report from being submitted on time.

The subrecipient has 14 days from the date contacted by AZDPS regarding missing documentation, or clarification of documentation. If no action is taken by the subrecipient to remedy the missing or clarification of documents, AZDPS will move forward with the reimbursement request as is. If documentation is submitted after the date due, AZDPS will, at their discretion, add the amount eligible for reimbursement to either the next quarter's reimbursement, or the final reimbursement at the end of the period of performance.

Final Quarter Programmatic Reporting

All recipients of funding must submit a Final Quarter Report to include a summary narrative of annual accomplishments corresponding with the respective approved fiscal year application.

Audits

The recipients are accountable for the use of funds under this program. The recipients must maintain records that adequately identify the sources and application of funds provided for financially assisted activities. Actual expenditures or outlays will be compared with budgeted amounts to determine if the expenditures qualify as a reimbursable expense under this program. This documentation is subject to review at any given time through the record retention period by state auditors as well as AZDPS officials.

Availability of Public Records

Arizona's public records law generally requires disclosure of information.

Recipients are encouraged to consult state and local laws and regulations and discuss these requirements with their legal counsel. Recipients should be familiar with the regulations governing protected critical infrastructure information and sensitive security information, as these designations may provide additional protection to certain classes of homeland security information.

Record Retention

Recipients are required to retain all the related documentation for three years after the close of this program. AZDPS will provide notification of the closure date along with final reimbursement for the funds. The letter will also specify retention date for the related documentation to aid in the applicant's successful compliance.

Programmatic Compliance

Travel

Travel is eligible for meetings, conferences, training, and exercises*. Reimbursements require complete documentation.

Prior approval is required for international travel. Recipients must submit a narrative in the application as to why international travel is needed.

**Please note that travel reimbursement is subject to the State's Reimbursement Rates as stated in the State of Arizona Accounting Manual (SAAM) section 5095. Any per diem costs will only be reimbursed if the travel dates occur within the fiscal year the award was granted.*

Contractual Services

Professional & Consultant Services Projects that entail more than one task, i.e., different plan revisions, should be identified as separate projects. Contracts that are to be worked in phases must include the details on all documentation (contracts, purchase orders, invoices, etc.) such as the scope for each phase, start & end dates, cost or price, and other documentation as needed.

Please note that the State only allows purchase of a 12-month subscription service at a time.

Supplies

As defined as tangible personal property other than “equipment” as utilized in this guidance have a disposition requirement when the residual value of the combined unused inventory exceeds \$5,000. In cases where this may occur, the awarding agency is entitled to its share of the value of the remaining inventory.

Procurement Process

The procurement process is one of, if not the most, scrutinized aspect of the local and state programs. The emphasis on how procurements are made is based on Arizona Procurement Code and local procurement regulations. All recipients are strongly urged to seek out their procurement department/individual to seek guidance on implementing the requirements into the procurement of any funds for services under this program funded item or service.

Recipients will maintain a contract administration system that ensures contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase order.

Recipients should note that the following situations are restrictive of competition and should be avoided:

- Placing unreasonable requirements on firms for them to qualify to do business
- Requiring unnecessary experience and excessive bonding
- Noncompetitive pricing practices between firms or between affiliated companies.
- Noncompetitive awards to consultants that are on retainer contracts.
- Organizational conflicts of interest.
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance of other relevant requirements of the procurement, and.
- Any arbitrary action in the procurement process.

Recipients will maintain records to sufficiently detail the significant history of any procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. Recipients alone will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and

administrative issues arising out of procurements.

Maintenance and Sustainment

Use of funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active awards, unless otherwise noted. Recipients should explain how they will maintain and sustain equipment purchased with funds throughout its useful life.

Fiscal Compliance

Source Documentation

AZDPS requires that accounting records be supported by source documentation such as canceled checks, invoices, payroll reports, time and attendance records, contracts, and purchase orders. AZDPS requires that the recipients have source documentation available prior to requesting reimbursement. Proper documentation for select items is as follows:

- Travel costs
 - Copy of the government unit travel policy
 - Receipts/documentation as required by travel policy justification and/or approval from government entities for overage in per diem rates, etc.
 - International travel must be submitted to AZDPS 45 days in advance for pre-approval and must be included in the approved application budget.
 - Meeting or conference agenda
 - Refer to the State of Arizona Accounting Manual for Travel Policy Topic 50
- Out of State Travel
 - Hotel invoice/receipt
 - Flight invoice/receipt
 - Shuttle receipt
 - Meal receipts are not required, keep copies for auditing purposes
- In State Travel
 - Hotel invoice/receipt if overnight stay is required
 - Mileage: Personal vehicles – provide a printed copy of MapQuest details
 - Meal receipts not required, keep copies for auditing purposes
- Payroll Reports
 - Documentation from an official accounting system which documents the payee, date, amount paid, and warrant or EFT number
 - Payroll records for personnel expenditures (including, Employee Related Expenditures)

- Professional and Contractual costs
 - The type of service to be rendered must be described
 - Backup documentation such as bids and quotes
 - Cost price analysis on file for review by AZDPS personnel, if applicable
- AZDPS requires the subrecipient to maintain the following documentation for purchases which may be requested by AZDPS any time:
 - Specifications
 - Solicitations
 - Competitive quotes or proposals
 - Basis for selection decision
 - Contracts
 - Invoices
 - Canceled Checks
 - Note: recipient should keep detailed records of all transactions involving the fentanyl diversion, prosecution and testing program
- For individual consultants, a scope of work is required and must detail the following:
 - Must describe the hourly, daily, or weekly base rate given
 - Are rates allowable, justified, reasonable, and comparable to market
 - The procurement method must be described
 - Maintenance costs are allowable and must support the program accordingly
- Equipment costs
 - Equipment purchases must be outlined in the approved application
 - Equipment items must be specified by unit and costs
 - Procurement method must be described
 - Copy of procurement policy may be requested
 - Must explain how the equipment relates to the programmatic goals, and supports the building or sustainment of the core capabilities as outlined in the goal
 - Detailed justification in the Work Plan required and/or will be requested
 - Invoice (not quotes) for equipment purchased
 - Documentation that equipment is received on site and installed as necessary

Equipment must also be necessary, reasonable, and applicable to the Fentanyl Diversion, Prosecution and Testing Grant Fund, and must be inventoried and available for AZDPS inspection. AZDPS must be notified if any equipment is surplus and any equipment with a current per unit fair market value over \$5,000 must comply with state awarding agency disposition requirements.

- Supply costs
 - Supplies should be listed separately
 - Invoices (not quotes)
 - Copy of purchase order
 - Proof of payment such as a copy of a warrant or EFT/ACH payment.

Credit or purchasing card statements are not acceptable proof of payment.

Fentanyl Diversion, Prosecution and Testing: Frequently Asked Questions

What should be included in the written and budget application?

Each proposal should include an overview, detailed scope of work - including what the funds will be used for - and a detailed budget. Please include any information - data, research, etc - used to identify the need being addressed. Please also include Memorandums of Understanding (MOUs) with any other agency or group identified as a partner in the proposal. You are also encouraged to submit letters of support and any additional materials you deem necessary.

How long should the written application be?

Approximately two pages, so long as it contains the elements needed as outlined in the guidance provided by AZDPS, and the senate bill, scope of work and program narrative. The budget should be separate from the scope of work and program narrative.

Is there a limit on the percent of funds that can be used for the administration of the funds (aka overhead)?

If an agency contracts with a university, 501c3 or non-profit organization, no more than 10% indirect costs or overhead is allowable for those contracts. Indirect/overhead costs are not eligible for direct recipients of the Fund.

Should specific personnel be identified as part of the proposal?

Yes. Name, title, salary, and brief position description of all positions/persons involved in the project should be included as part of the scope of work.

What is the length or term of the grant?

Recommendation is for a period of one (1) year for each proposal/project.

Are diversion and training activities required as part of the proposals?

Diversion activities should be included in each proposal to meet the intentions and requirements of the fund. If specialized training of personnel is needed and makes up a part of the proposal and budget, it should also be included as part of the scope of work and budget. If specialized software or database is being purchased, training of personnel should be listed as part of the contract. If hiring of new personnel or using established personnel requires special training to complete their position description or duties, it is allowable.

Is an evaluation of the grant required? If yes, should an outside evaluator be used or can it be done internally?

Quarterly reporting is required on the grant funds expended. Internal evaluation is sufficient.

Are there any exclusions to the grant budget?

Each proposal will be evaluated by a determined review panel. AZDPS will review within the group for items that may not be eligible for funding.

Is there any in-kind required for this grant?

In-kind is not required for this grant. Matching funds are not required.

Does all of the funding have to be for fentanyl diversion, prosecution and testing-related work?

Yes. All expenses must be for items that are outlined in the application and directly combat crimes involving A.R.S. §13-3408. This includes training programs, additional personnel, communications equipment, software and licenses, research, data, etc.

Are there any restrictions regarding who the grantee can partner with for parts of the grant activities? What is the guidance on hiring subcontractors?

There are no specific restrictions regarding partnerships (including MOUs, vendors, sub-grantees, etc.). Each grantee must demonstrate procurement requirements have been met when identifying a vendor, contract, or subgrantee. If entering in subcontracts the grantee must have specific scope of work, budget, etc. for the vendor/contract/subgrantee specifying the anti-trafficking as outlined for these funds.