

STATE OF TEXAS)
)
COUNTY OF EL PASO)

MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is entered into on the ___ day of December, 2009, by and between the _____ Judicial District, hereinafter called "Sub-recipient", the Border Prosecutor's Association, hereinafter called "BPA" and the County of El Paso, Texas, hereinafter called "County".

WITNESSETH:

Whereas, the Office of the Governor of the State of Texas has awarded \$4,000,000 in grant number 2283701 to the El Paso County District Attorney's Office, whose fiscal agent is the County of El Paso, for disbursement under the Trusted programs within the Office of the Governor for prosecution resources for districts statewide ; and

Whereas, the above named sub-recipient has been allocated \$100,000 of these grant funds per year, for two years, to be spent in accordance with CJD guidelines and the attached Exhibit A; and

Whereas, such a consolidated effort in targeting border security by federal, state, and local law enforcement agencies, it is in all parties' best interests and that of the public and that this agreement will increase the effective and efficient functioning of all parties.

Now therefore, in consideration of the premises, and of the terms, provisions, and mutual promises herein contained, it is mutually agreed as follows:

1.0 Duties of the Sub-recipient.

1.1 Sub-recipient shall submit proper application for reimbursement on the BPA project to the County through the applicable sub-recipient County Auditor. This application must be signed by the sub-recipient and the County Auditor. The application must contain the following documentation:

- (a) Invoice or cancelled check copy,
- (b) Documentation from an agency's computerized system, (i.e. Payroll reports)
- (c) Any other documents required by law or CJD guidelines.

1.2 Sub-recipient shall provide the County with the following prior to any expenditure of BPA grant funds:

- (a) A copy of the Standard Operating Procedures of the Financial Operations for sub-recipient;
- (b) A detailed budget of all planned expenditures of BPA grant funds; and
- (c) The sub-recipient's signed Suspension and Debarment form.

1.3 Sub-recipient shall provide the County with a copy of the A133 single audit for the fiscal year(s) where these funds are expended.

1.4 Sub-recipient shall follow all federal laws and CJD guidelines concerning the appropriate expenditure and use of BPA grant funds.

1.5 Sub-recipient's records, specific to these BPA expenditures, are subject to audit and review by the County at any time, and sub-recipient agrees to make such records available to the County for copy, review and/or audit.

2.0 Duties of the County.

2.1 The County shall process reimbursement requests from sub-recipient.

2.2 The County shall reimburse approved expenses from the BPA grant number 2283701 incurred by sub-recipient for the purposes of the BPA project. Reimbursement may be allowed for expenses incurred in "salary and fringe benefits", "travel", "operating", "equipment", "supplies" and "other" categories. Reimbursement payments will be issued to sub-recipient only after the County receives reimbursement from CJD.

3.0 Term and Termination.

This memorandum of understanding shall be effective upon its execution by all parties and shall terminate when all BPA funds awarded under this grant have been exhausted or the authority to expend these funds expires or is revoked by the Office of the Governor or federal law. The County may terminate this memorandum of understanding, without cause, upon sixty (60) days written notice to all sub-recipients.

Notices shall be made to:

To BPA:

Border Prosecutor's Assoc.
ATTN: , Director
Address
Austin, TX

To Sub-recipient:

Judicial District
ATTN: District Attorney or County
Judge
City, State Zip

To County:

County Auditor
County of El Paso
Administrative Services Bldg.
800 E. Overland, Suite 406
El Paso, TX 79901

Witness the following signatures:

THE COUNTY OF EL PASO

BORDER PROSECUTORS

JUDICIAL DISTRICT

Exhibit "A"

Each individual County's Budget for the \$100,000