

CLEVELAND PUBLIC LIBRARY

Finance Committee

October 15, 2009

**RESOLUTION TO ACCEPT LSTA GRANT FOR SERVICES TO TARGETED POPULATIONS
PROJECT FOR THE OHIO LIBRARY FOR THE BLIND AND PHYSICALLY DISABLED AT
CLEVELAND PUBLIC LIBRARY**

WHEREAS, Effective July 1, 2009, the Cleveland Regional Library for the Blind and Physically Handicapped started providing service to individuals and organizations formerly served by the Cincinnati Regional Library; and

WHEREAS, The State Library of Ohio is supportive of the consolidation of the two (2) regional libraries; and

WHEREAS, The Library and State Library of Ohio desires an additional focus on services to this targeted population; therefore be it

RESOLVED, That the Cleveland Public Library Board of Trustees accepts the LSTA funds of \$100,000 into LSTA LBPH Fund Account: 251042-42100 Federal Aid for supplies and equipment promoting this activity to begin immediately upon acceptance through September 30, 2010.

THE STATE LIBRARY OF OHIO
COLUMBUS, OHIO
43201

OHIO FFY 2009
LSTA
CLEVELAND PUBLIC LIBRARY
SERVICES TO TARGETED
POPULATIONS PROJECT
CFDA 45.310
PROJECT #VI-8-09
IMLS

This agreement between the Board of Trustees of the
CLEVELAND PUBLIC LIBRARY
hereinafter known as the ADMINISTERING AGENCY,
and the State Library Board, hereinafter known as the STATE LIBRARY,

WITNESSETH THAT:

The ADMINISTERING AGENCY proposes to act as administrative agent for the SERVICES TO TARGETED POPULATIONS PROJECT as described in the project application which shall become part of this AGREEMENT.

This project will BEGIN September 25, 2009 and TERMINATE September 30, 2010.

The STATE LIBRARY agrees to grant to the ADMINISTERING AGENCY the sum of \$100,000 from FY 2009 funds to fund this project.

\$100,000 from FFY 2009 funds shall be paid as soon as possible upon the signing of this agreement by both parties.

Federal funds received prior to September 25, 2009 cannot be obligated or disbursed until after the project officially begins September 25, 2009.

AGREEMENT -2-

All funds must be obligated/encumbered and dispersed on or before September 30, 2010.

The ADMINISTERING AGENCY agrees to expend the federal funds granted by the STATE LIBRARY and local matching funds in accordance with the following budget:

| | Federal | Local | Total |
|------------------|---------------------|--------------|---------------------|
| Supplies | \$ 80,400.00 | \$ - | \$ 80,400.00 |
| Equipment | \$ 19,600.00 | \$ - | \$ 19,600.00 |
| Total | \$100,000.00 | \$ - | \$100,000.00 |

Budget amendments may be made only with written approval by the STATE LIBRARY.

The ADMINISTERING AGENCY shall return all unexpended federal grant funds to the STATE LIBRARY at the CLOSEOUT of this project.

The ADMINISTERING AGENCY agrees to make, on a form supplied by the STATE LIBRARY, separate cumulative financial reports of local and federal expenditures for the project quarters ending December 31, 2009, March 31, 2010, and June 30, 2010, and to make a final report of expenditures upon CLOSEOUT of the project on or before September 30, 2010 following the project period.

The ADMINISTERING AGENCY also agrees to make narrative reports for the quarters ending December 31, 2009, March 31, 2001, June 30, 2010, and a cumulative narrative report upon CLOSEOUT of the project (on or before September 30, 2010).

The narrative report shall describe the activities carried on toward reaching the objectives of the project as set forth in the application, including problems encountered as well as successful activities. The cumulative report shall, as objectively as possible, review and evaluate the project as a whole against the objectives and include a statement of whether or not the agency plans to continue project activities as part of its regular program.

AGREEMENT -3-

All financial and narrative reports are due within 15 working days of the report period stated above.

The Single Audit Act of 1984 requires that the STATE LIBRARY ensure that sub-recipients meet the provisions of the Single Audit Act, and that, in instances of non-compliance with Federal laws and regulations, the STATE LIBRARY take appropriate corrective action.

The State Library may request back-up documentation to verify purchases for audit purposes.

The ADMINISTERING AGENCY agrees to submit to the STATE LIBRARY within 30 days from the date the report is issued, one copy of its audit report for each fiscal year which includes any part of this project period.

Two copies of the promotional materials, book lists prepared for this project and newspaper publicity and articles shall be submitted with the narrative reports.

The ADMINISTERING AGENCY agrees that all Federal funds received under this agreement will be expended solely for the purpose stated in the grant application. Any such funds not so expended, including funds lost or diverted to other purposes, shall be repaid to the STATE LIBRARY. In the event that such funds are lost or diverted, the terms of this contract shall cease.

The ADMINISTERING AGENCY shall maintain inventory records of equipment purchased for the project using forms and procedures established by the STATE LIBRARY per Section 1183.130 and 1184.140 Code of Federal Regulations.

At such time that equipment purchased for this project, in whole or in part with Federal funds, is no longer needed or being utilized for the purposes identified in the project application, it shall revert back to the federal government through the STATE LIBRARY, per Section 1183.139 Code of Federal Regulations.

AGREEMENT -4-

The ADMINISTERING AGENCY agrees that if it fails to meet any term of this contract, the STATE LIBRARY may, upon reasonable notice to the ADMINISTERING AGENCY, suspend the payment of funds and/or the project in whole or in part. The notice of suspension shall state the reasons for the suspension and any corrective action required of the ADMINISTERING AGENCY and the Effective date. The suspension shall remain in effect until the ADMINISTERING AGENCY has taken corrective action satisfactory to the STATE LIBRARY or given evidence satisfactory to the STATE LIBRARY that such corrective action will be taken.

Failure of the ADMINISTERING AGENCY to comply with the terms of the suspension may result in termination of the contract.

The ADMINISTERING AGENCY assures that it does not discriminate on The basis of race, religion, age, gender, national origin, or handicapping condition in providing space for public meetings.

The ADMINISTERING AGENCY agrees that it is an Equal Employment Opportunity employer which will comply with all applicable State and Federal EEO Affirmative Action Laws and regulations when filling advertised positions.

The ADMINISTERING AGENCY also agrees to hire personnel for this project in accordance with Section 907 of Public Law 90-132:

"No part of the funds appropriated in this project shall be used to provide payments, assistance, or services, in any form, with respect to any individual convicted in any Federal, State, or Local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State or Local Laws designated to project persons or property in the community concerned."

The ADMINISTERING AGENCY agrees that it will comply with Section 504 of the Rehabilitation Act of 1973, as amended, all requirements imposed by the applicable regulation and all guidelines and interpretations issued pursuant thereto.

AGREEMENT -5-

The ADMINISTERING AGENCY agrees that it will comply with Section 319 of Public Law

101-121:

"No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement."

The ADMINISTERING AGENCY also agrees that it will comply with the Drug-Free Workplace Act of 1988. 34 CRF part 85, subpart F, all requirements imposed by the applicable regulation and all guidelines and interpretations issued pursuant thereto.

The ADMINISTERING AGENCY agrees that it will comply with Section 131.17 of the Ohio Revised Code.

"No contract, agreement, or obligation involving the expenditure of money entered into by any department, office, board, commission, or other agency of the state, nor any resolution or order for the expenditure of money passed by any such entity, shall be valid and enforceable, unless the director of budget and management first certifies that there is a balance in the appropriation not already obligated to pay existing obligations. Any written contract or agreement entered into by the state shall contain a clause stating that the obligations of the state are subject to the provisions of this section."

AGREEMENT -6-

This agreement becomes effective at the time of signing by both parties.

Date

President of the Board

Date

Treasurer

Date

Librarian

Library

9/30/09
Date


State Librarian

The State Library Board approved this grant on September 24, 2009.



**CERTIFICATIONS REGARDING DEBARMENT AND SUSPENSION;
DRUG-FREE WORKPLACE REQUIREMENTS; LOBBYING;
FEDERAL DEBT STATUS; AND NONDISCRIMINATION**

Signature of this form provides for compliance with the statutes and regulations cited below. The certifications shall be treated as material representations of fact upon which reliance will be placed when the Institute of Museum and Library Services determines to award Federal funds to State Library Administrative Agencies.

1. DEBARMENT AND SUSPENSION

The applicant shall comply with 2 CFR Part 3185. The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that neither the applicant nor any of its principals:

- (a) Are presently excluded or disqualified;
- (b) Have been convicted within the preceding three years of any of the offenses listed in 2 CFR section 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in 2 CFR section 180.800(a); or
- (d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

The applicant, as a primary tier participant, is required to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) as a condition of participation in the award. The applicant is also required to communicate the requirement to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) to persons at the next lower tier with whom the applicant enters into covered transactions.

2. DRUG-FREE WORKPLACE REQUIREMENTS

As required by the Drug-Free Workplace Act of 1988 and implemented at 45 C.F.R. Part 1185, the undersigned, on behalf of the applicant, certifies that the applicant will or will continue to provide a drug-free workplace by:

- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the action that will be taken against employees for violation of such prohibition;
- (b) establishing an ongoing drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the grantee's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and

- (4) the penalties that may be imposed on employees for drug abuse violations occurring in the workplace;
- (c) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) abide by the terms of the statement; and
 - (2) notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;
- (e) notifying the agency in writing within ten (10) calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant;
- (f) taking one of the following actions within thirty (30) days of receiving notice under subparagraph (d)(2) with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*); or
 - (2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health law or other appropriate agency;
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The applicant either shall identify the site(s) for the performance of work done in connection with the project in the application material or shall keep this information on file in its office so that it is available for Federal inspection. The street address, city, county, state, and zip code should be provided whenever possible.

3. LOBBYING

As required by Section 1352, Title 31 of the United States Code, and implemented for persons entering into a grant or cooperative agreement over \$100,000, the applicant certifies to the best of his or her knowledge and belief that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into of a cooperative agreement, or the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than appropriated Federal funds have been paid or will be paid to any person (other than a regularly employed officer or employee of the applicant) for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall request, complete, and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. FEDERAL DEBT STATUS

The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that the applicant is not delinquent in the repayment of any Federal debt.

5. NONDISCRIMINATION

As required by the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Education Amendments of 1972, and the Age Discrimination in Employment Act of 1975, as implemented at 45 C.F.R. Part 1180.44, the undersigned, on behalf of the applicant, certifies that the applicant will comply with the following nondiscrimination statutes and their implementing regulations:

- (a) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000 *et seq.*), which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving Federal financial assistance;
- (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*), which prohibits discrimination on the basis of disability in Federally-assisted programs;
- (c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-83, 1685- 86), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance;
- (d) The Age Discrimination in Employment Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in Federally-assisted programs;

The undersigned further provides assurance that it will include the language of these certifications in all subawards and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Signature of Authorized Certifying Official

Print Name and Title of Authorized Certifying Official

Date



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September 4, 2009

Ms. Jo Budler, State Librarian
Ms. Missy Lodge, LSTA Coordinator
State Library of Ohio
274 East First Street
Columbus, Ohio 43201-3673

Dear Jo and Missy,

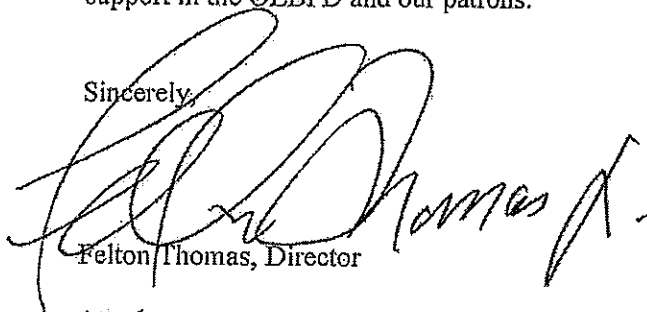
Attached is Cleveland Public Library's LSTA grant request submitted in an effort to assist the Ohio Library for the Blind and Physically Disabled (OLBPD). These funds will help to better serve all Ohioans with print disabilities by providing them with an adequate selection of books on digital cartridge. As you know the National Library Service does not have enough money in their budget to provide both the players and the collection. In these transition years the financial burden has been passed onto the regional library to purchase blank cartridges and to duplicate the titles based on patron demand.

Attached is the budget request for the project. We are aware that pricing of the new technology is in flux and that the actual prices may be higher or lower dependent on consumer demand.

We realize this is a one-time grant and have considered everything essential that is needed while at the same time being financially responsible to our taxpayers.

Thank you for your willingness to work with us in assuring that we are able to meet the reading needs of all Ohioans with disabilities and eligible for the National Library's services. We appreciate your continued support in the OLBPD and our patrons.

Sincerely,



Felton Thomas, Director

Attachment

cc: Barbara T. Mates, Head, OLBPD
Janice Ridgeway, Administrator
Community Outreach and Public Affairs



BOARD OF LIBRARY TRUSTEES

•ALICE G. BUTTS, PRESIDENT •THOMAS D. CORRIGAN, VICE PRESIDENT •MARITZA RODRIGUEZ, SECRETARY
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•FELTON THOMAS, JR., DIRECTOR

Request for LSTA Funds To Purchase Blank Digital Cartridges For Use In New Digital Talking Book Machines

1. Community Assessment

The Ohio Library for the Blind & Physically Disabled (OLBPD) serves approximately 18,000 individuals and over 1,000 institutions. All users of the service have learning, physical or visual disabilities which prohibit them from using standard print reading materials, as well as standard video/DVD media. Often, people with disabilities experience challenges using their local library and its services, usually due to transportation problems, or a lack of sufficient, accessible library materials.

The OLBPD provides books and reader services to registered users while the State Library of Ohio provides players. The two sites share an on-line database and work closely together to coordinate distribution of machines and books.

In August 2009 the National Library Service (NLS) began the long anticipated transition from talking books produced on analog cassette tapes to digital flash technology. Although NLS is supplying an adequate number of digital talking book machines (DTBMs) to meet user needs, digital books are in short supply. As of September 1, 2009, the OLBPD received 154 digital books from NLS for patron use. In comparison, 233 digital players were received in August 2009. Due to budget constraints, production of NLS supplied digital books is behind schedule. Given the limited number of digital books available, patrons are currently limited to one digital book at a time.

2. Project Proposal/Goal

The OLBPD is requesting one time LSTA funds to purchase bulk supply of blank digital cartridges and specialized labels. These will be used to rapidly expand the library of digital books available for borrowing. OLBPD and State Library staff will download selected titles from the NLS BARD (Braille and Audio Recording Download) site, which has over 20,000 titles from which to choose. Titles will be selected based on popularity and by request. Once downloaded, titles can be quickly and easily copied to additional digital cartridges as needed.

The shortage of digital talking books is a national one and not unique to Ohio. Since the producers of blank digital cartridges offer quantity discounts, the OLBPD plans to submit its order with the Idaho Commission for Libraries Talking Book Service which will result in an overall cost savings for both states.

3. Budgetary Needs

The National Library Service does not anticipate acquiring sufficient numbers of books on cartridge to serve the public until they have an inventory of digital machines to meet demand. Therefore the task of collection building has been given to the regional libraries. The libraries will have to buy the cartridges,

mailing containers, labels for the mailing cartridges & mailing containers (the labels for this task must be printed using an Romeo LE Wide Braille Maker). The Ohio Library for the Blind does not have money in their operating budget to purchase the needed supplies (they must still maintain a cassette collection as well). The following items will need to be purchased:

SUPPLIES:

- *The new digital system requires specialized cartridges for the recording process. Currently there are only two vendors producing the cartridges and prices are relatively high.*

| | | |
|-----------------|-------------------|-------------|
| Purchase 10,000 | 512 MB cartridges | \$47,700.00 |
| Purchase 2,600 | 1 GB cartridges | \$19,700.00 |
- *The new digital system requires specialized cartridges for the recording process. Currently there are a limited amount of vendors producing the containers and prices are not competitive:*

| | | |
|-----------------|------------|------------|
| Purchase 13,000 | Containers | \$9,100.00 |
|-----------------|------------|------------|
- *The cartridges will need to be labeled –they are specialized labels, but, we do have a local vendor who has helped to bring the price to a reasonable level.*

| | | |
|-----------------|------------------|------------|
| Purchase 20,000 | Cartridge Labels | \$1,000.00 |
|-----------------|------------------|------------|
- *In addition to embossing Braille onto the labels, they will need large print Identification*

| | | |
|----------|--------------------------|------------|
| Purchase | Laser Printer Cartridges | \$2,900.00 |
|----------|--------------------------|------------|

EQUIPMENT:

- *The cartridge labels will have to be embossed using a Braille embosser we do not own*

| | | | |
|----------|---|-----------------------------|------------|
| Purchase | 2 | Romeo LE Wide Braille Maker | \$6,600.00 |
| Purchase | 2 | Printer Stands & Hoods | \$1,000.00 |
 - *USB Copy Centers can built which will enable duplication of 21 sticks at a time. The copy centers must adhere to NLS specifications, and currently there is a limited amount of contractors assembling the devices.*

| | | | |
|----------|---|-----------------------|--------------|
| Purchase | 2 | USB Stick Copy Center | \$ 10,000.00 |
|----------|---|-----------------------|--------------|
 - *Cartridge labels need to be identified.*

| | | | |
|----------|---|---------------------------------|-------------|
| Purchase | 2 | Epson (similar) Printer & Stand | \$ 2,000.00 |
|----------|---|---------------------------------|-------------|
- | | |
|--------------|----------------------|
| Total | \$ 100,000.00 |
|--------------|----------------------|

4. Evaluation

The OLBPD will monitor and evaluate requests for books to determine most requested titles. Specific titles will be downloaded and duplicated upon request from readers. The number of titles and copies produced will be tracked. The project will be judged successful if patrons are able to at least borrow 6 books at a time.

5. Funding Justification

Due to the fiscal crisis facing the State, the OLBPH has taken on the responsibility of serving the entire state. This added workload has stretch the Cleveland Public Library's financial capacity. The current budget does not allow the library to expend any funds for items such as cartridges, and containers-we operate at a maintenance level and are maintaining the cassette collection. The library has been placed in the position of having digital playback machines to distribute, but nothing to play -it's an basically like having a brand new library open for the public, but sadly without books on the shelves. This grant will allow the Ohio Library for the Blind and Physically Disabled to work to serve all Ohioans with print disabilities that prevent them from using standard print materials by putting more books on the shelves.