

## **2009 NATIONAL FIRE ACADEMY STATE FIRE TRAINING SYSTEMS**

### **Additional Federal and State Requirements**

The requirements in this document provide a summary of some of the key federal and state requirements which apply to these grant funds.

1. **Federal Guidance Document:** The Sub-grantee must comply with all applicable requirements in the U.S. Department of Homeland Security application instructions and grant guidance document attached as Attachment A of this document.
2. **Federal Regulations:** The Sub-grantee shall comply with the most recent version of the following federal Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to U.S. DHS grants are listed below:
  - A. **Administrative Requirements:** 44 CFR Part 13, “Uniform Administrative Requirements for Grants and Cooperative Agreement to State and Local Governments” and 2 CFR Part 215, “Uniform Administrative Requirements for Grants and Cooperative Agreement with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.”
  - B. **Cost Principles:** 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-profit Organizations; and Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations.
  - C. **Audit Requirements:** OMB Circular A-133, Audits of State, Local Governments, and Non-Profit Organizations.
3. **Federal Assurances and Special Conditions:** The Sub-grantee shall comply with the applicable federal Assurances (Attachment B) and Award and Special Conditions (Attachment C).
4. **Federal Procurement and Contracting Requirements:** A Sub-grantee is required to follow its own procurement procedures **as long as those procedures meet or exceed the federal procurement standards established in 44 CFR 13.36**. A summary of some of these federal procurement standards is included in Attachment D of this document.
5. **Interest Income:** A Sub-grantee shall promptly, but at least quarterly, remit interest earned on advanced grant funds to the U.S. Department of Homeland Security. The Sub-grantee may keep interest earned, up to \$100 per fiscal year for administrative expenses.
6. **Requirements Applicable to Property/Equipment Purchased Using Grant Funds:** For all tangible, nonexpendable, personal property having a per unit cost of more than \$5,000 acquired in whole or in part with federal grant funds, the Sub-grantee must comply with the requirements specified in 44 CFR 13.32 summarized in part below:
  - A. Maintain records that include the following:
    - i. A description of the property;
    - ii. Manufacturer's serial number or other identification number;
    - iii. Source of the property;
    - iv. Identification of the title holder;
    - v. Acquisition date;
    - vi. Cost of the property;
    - vii. Percentage of Federal participation in the cost of the property;
    - viii. Location of the property;
    - ix. Use of the property;
    - x. Condition of the property; and
    - xi. The ultimate disposition of the property, including the date of disposal and sale price.
  - B. A control system shall be developed and implemented to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and fully documented and made a part of the official project records.
  - C. Adequate maintenance procedures shall be developed and implemented to keep the property in good condition.

- D. The Sub-grantee shall take a physical inventory of the property and the result reconciled with the property records at least once every two (2) years. Any differences between quantities determined by the physical inspection and those in the accounting records shall be investigated to determine the cause of the difference. The Sub-grantee shall, in connection with the inventory, verify the existence, current utilization, current location, and continued need for the property.
- E. The Sub-grantee shall not dispose of any property acquired in whole or in part with funds provided under this Agreement, except in accordance with 44 CFR 13.32(e), if applicable, and any applicable state and local laws, rules and regulations.
7. **Hatch Act:** The Sub-grantee must comply with the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limits the political activities of employees whose principal employment activities are funded in whole or part with federal funds (Coverage is not dependent on the source of an employee's salary, nor is it dependent upon whether the employee actually administers the funds or has policy duties with respect to them). State and local employees subject to the Hatch Act continue to be covered while on vacation leave, annual leave, sick leave, leave without pay, administrative leave or furlough.
- **Political Do's and Don't's For State and Local Employees:** An individual principally employed by a state or local executive agency in connection with a program financed in whole or in part by federal loans or grants.
    - May be a candidate for public office in a nonpartisan election
    - May campaign for and hold elective office in political clubs and organizations
    - May actively campaign for candidates for public office in partisan and nonpartisan elections
    - May contribute money to political organizations or attend political fundraising functions
    - May participate in any activity not specifically prohibited by law or regulation
    - May not be a candidate for public office in a partisan election
    - May not use official authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office
    - May not directly or indirectly coerce contributions from subordinates in support of a political party or candidate
  - An election is partisan if any candidate for an elective public office is running as a representative of a political party whose presidential candidate received electoral votes at the preceding presidential election.

The Office of the Special Counsel: The Office of the Special Counsel is responsible for investigating reports or complaints of Hatch Act violations by covered employees of state and local governments.

(<http://www.osc.gov/hatchact.htm>)

ATTACHMENT A  
Application Instructions and Grant Guidance

**Title of Opportunity** State Fire Training Systems Assistance Grants FY 2009

**Funding Opportunity Number**

**Federal Agency Name** FEMA/United States Fire Administration

**Announcement Type** Initial

**Dates** Placed on [www.grants.gov](http://www.grants.gov) April 1, 2009 for Submissions; application deadline of July 1, 2009.

**Additional overview information** N/A

***FUNDING OPPORTUNITY DESCRIPTION (Required)***

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THE FOLLIWNG SHOULD BE INCLUDED IN YOUR PROJECT NARRATIVE. The purpose of this Project Description is to provide guidance regarding the distribution and implementation of grants to the 50 State Fire Training Systems. In fiscal year 2009, the Federal Emergency Management Agency received \$1,400,000 for distribution to be used as grants to each of the 50 States for implementation of U.S. Fire Administration's National Fire Academy (USFA/NFA) training courses and programs. Each State Fire Training System will receive a total of \$28,000 with \$23,000 earmarked for delivery of NFA training programs and \$5,000 for marketing, administrative costs, and electronic feedback of student data. These grants support local training initiatives of NFA courses in four categories:

- A. Delivery of NFA State sponsored courses in State and local areas
- B. Delivery of selected NFA 6-day and 2-day off campus courses
- C. Endorsement Program courses
- D. Chief Officer Training Curriculum

In addition to completing the above information, you must also provide a work plan which includes a narrative project description along with proposed costs for this project. The work plan will be used as a guide by the program office to approve/disapprove payment requests; therefore, this plan must be specific and must coincide with the amount of funding received for the project description.

**AWARD INFORMATION (required)**

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- A. Type of Award: DHS/FEMA/USFA/NFA anticipates awarding 50 grants to the State Fire Training Systems.
  - B. Authorizing Statutes: Homeland Security Act of 2002, Public Law 107-296; U.S.A. Patriot Act of 2001. Public Law 107-56; Federal Emergency Management Agency, Executive Order 12127; The Federal Fire Prevention and Control Act of 1974, Public Law 93-498, Section 21 (a and b).

- C. **Estimated Funding:** In fiscal year 2009, the Federal Emergency Management Agency received \$1,400,000 for distribution to be used as grants to each of the 50 States for implementation of U.S. Fire Administration's National Fire Academy (USFA/NFA) training courses and programs. Each State Fire Training System will receive a total of \$28,000 with \$23,000 earmarked for delivery of NFA training programs and \$5,000 for marketing, administrative costs, and electronic feedback of student data.
- D. **Performance Period:** The project Period/Budget Period shall be a maximum of twelve (12) months.

### **ELIGIBILITY INFORMATION (Required)**

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- A. **Eligible Applicants:** - This funding opportunity is restricted to the 50 State Fire Training Systems.
- B. **Cost Sharing:** - There will be no cost sharing or match funding requirement associated with this opportunity.

### **APPLICATION AND SUBMISSION INFORMATION**

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#### ***(Required)***

- A. ***Address to Request Application Package*** –DHS participates in the Administration's e-government initiative. As part of that initiative, all applications must be filed using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Grantees must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>. To access application forms and instructions, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select "Download Application Package," and then follow the prompts to download the application package. To download the instructions, go to "Download Application Package" and select "Instructions." If you experience difficulties or have any questions, please call the [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

DHS may request original signatures on forms at a later date.

#### ***(Required)***

- B. ***Content and Form of Application*** - The on-line application must be completed and submitted using [grants.gov](http://www.grants.gov) after Central Contractor Registry (CCR) registration is confirmed. The on-line application includes the following required forms and submissions:
- Standard Form 424, Application for Federal Assistance

- Standard Form 424A, Budget Information
- Standard Form 424B Assurances
- Standard Form LLL, Disclosure of Lobbying Activities
- Attachment include Project Narrative and the Budget Justification

The Project Narrative can be taken from the Funding Opportunity Description related to this package. The Budget Justification is a narrative which explains the budget line items. An example would be in the area of “Personnel – list each position by title and name of employee, if available; show the annual salary rate and the percentage of time to be devoted to the project; compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant application.”

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is “*State Fire Training Systems Assistance Grants.*” The CFDA number is **97.043**.

- C.** Application via grants.gov. FEMA participates in the Administration’s e-government initiative. As part of that initiative, all applicants must file their applications using the Administration’s common electronic “storefront” -- grants.gov. Eligible Grantees must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>.
- D.** DUNS Number: The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within [grants.gov](http://www.grants.gov) and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.
- E. Valid Central Contractor Registry (CCR) Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through [grants.gov](http://www.grants.gov).
- F. Submission Dates and Times.** Application submissions will be received by midnight, EST on July 1, 2009. Only applications made through [www.grants.gov](http://www.grants.gov) will be accepted.
- G. Intergovernmental Review:** This funding opportunity is not subject to Executive order (EO) 12372, “Intergovernmental Review of Federal Programs.”.
- H. Funding Restrictions** – DHS grant funds may only be used for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory

proceedings. In addition, federal funds may not be used to sue the federal government or any other government entity.

Pre-award costs are allowable only with the written consent of DHS and included in the award agreement.

1. State Fire Training Systems, hereafter referred to as State, must use these funds for the purpose of delivering NFA developed courses. Funds unused by a State may be reallocated to other States.

Eligible Categories of Course Deliveries:

1. Delivery of NFA State Sponsored courses:

The following courses do not require a NFA instructor. Each State may determine the most qualified instructor independent from NFA. Therefore, an instructor list is not provided for these courses.

NFA State Sponsored Courses:

*Arson Detection for the First Responder*  
*Basic Life Support and Hazardous Materials*  
*Cmd/Ctrl of Wld/Urban Fire Ops for the Structural Chief Officer*  
*Command & General Staff Functions for Local IMTs (6-day)*  
*Community Risk Issues & Prevention Interventions*  
*Cooperative Leadership Issues in Wildland/Urban Interface Operations*  
*Courtroom Preparation and Testimony for First Responders*  
*Emergency Response to Terrorism: Basic Concepts*  
*ERT: Strategic Considerations for Command Officers*  
*ERT: Tactical Considerations-Company Officer*  
*ERT: Tactical Considerations-Emergency Medical Services*  
*ERT: Tactical Considerations—Hazardous Materials*  
*Fire Prevention for First Responders and Small Departments*  
*Fire Prevention for High-Risk Populations: Age and Disability Factors*  
*Health and Safety Officer (Revised)*  
*Incident Command for High Rise Operations*  
*Incident Command System for Emergency Medical Services*  
*Incident Command System for Structural Collapse Incidents*  
*Incident Safety Officer (Revised)*  
*Initial Response to Hazardous Materials Incidents: Basic Concepts*  
*Initial Response to Hazardous Materials Incidents: Concept Implementation*  
*Introduction to Unified Command for Multi-Agency Catastrophic Incidents*  
*Introduction to Wildland and Wildland/Urban Interface Firefighting for the Structural Company Officer*

*Juvenile Firesetter Intervention Specialist I*  
*Juvenile Firesetter Intervention Specialist II*  
*Leadership I: Strategies for Company Success*  
*Leadership II: Strategies for Personal Success*  
*Leadership III: Strategies for Supervisory Success*  
*Managing Company Tactical Operations: Tactics*  
*Managing in a Changing Environment*  
*Marketing Fire Prevention in Your Community*  
*Methods of Enhancing Safety Education*  
*NIMS Incident Command System for Emergency Medical Services*  
*NIMS Incident Command System for Fire Service*  
*Preparation for Initial Company Operations (formerly*  
*MCTO: Preparation)*  
*Preventing Fire Risk Based on Socioeconomic Factors: Rural and Urban*  
*Settings*  
*Prevention and Mitigation Advocacy for Small Departments Responders*  
*Shaping the Future*  
*Strategy and Tactics for Initial Company Operations*  
*Training Operations in Small Departments*

2. Delivery of the following 6-day and 2-day Off Campus Courses:

- a) Six-Day Courses - For these classes, States **must** use NFA's **instructors listed on the NFA Web Page at <http://www.usfa.gov/nfa>. All six-day courses require two instructors.**

*Advanced Safety Operations and Management*  
*Challenges for Local Training Officers*  
*Command and Control of Fire Department Operations at Target*  
*Hazards*  
*Command and Control of Incident Operations*  
*Evaluating Performance-Based Designs*  
*Fire Cause Determination for Company Officers*  
*Fire Service Planning Concepts for the Twenty-First Century*  
*Hazardous Materials Incident Management*  
*Initial Fire Investigation*  
*Juvenile Firesetter Intervention Professional I*  
*Juvenile Firesetter Intervention Professional II*  
*Leading Community Fire Prevention*  
*Presenting Effective Public Education Programs*

(Instructional kits are limited; do not confirm your course date until you have contacted the NETC logistical contractor to ensure availability of the kit)

- b) Two-Day Courses – For these classes, States **must** use NFA’s instructors listed on the NFA Web Page at <http://www.usfa.fema.gov/nfa>. **Two-day courses require one instructor.**

*Executive Skills Series: Influencing*

*Executive Skills Series: Managing and Leading Change*

*Executive Skills Series: Leading Diverse Communities beyond Conflict*

NOTE: The logistical contractor is located on the National Emergency Training Center (NETC) campus in Emmitsburg, Maryland, and can be reached at Linda.Pecher@associates.dhs.gov. NFA instructors must be used to deliver the six-day and two-day courses listed above. States requesting six-day courses must contact the logistical point of contact after the approval of the work plan. The logistical point of contact will ascertain whether the proposed course dates can be scheduled based on availability of media kits for courses. Due to limited instructional kits, course dates may need to be changed. States should contact the logistical point of contact to receive a master set of course manuals/kits for the approved course. The State must return the master set/kit to the logistical point of contact after duplicating the necessary copies.

3. **Endorsement Program Courses:**

For the most current listing of NFA approved endorsed courses and/or additional information, please visit our website at [www.usfa.fema.gov/nfa](http://www.usfa.fema.gov/nfa).

4. **Chief Officer Training Curriculum (COTC)**

The COTC is designed for the newly promoted Chief Officers in both career and volunteer departments. The curriculum (160 hours) will include:

Emergency Incident Management (80 hours); Leadership (32 hours); Human Resource Development (32 hours); and Community Risk Reduction (16 hours).

I. **Other Submission Requirements** – Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award.

1. The Grantees shall be responsible for all program advertisement and student recruitment. Student admissions will be the responsibility of the State for all

courses and must comply with admission standards within each delivery system. NFA shall monitor student data for admission compliance.

2. **Student data is to be reported on a quarterly basis to the project officer and contracting officer. Completed application forms must be submitted to NETC's Office of Admissions within 10 days after the delivery of the training and certificates will be issued upon request.** States may issue their own certificates, with acknowledgement that the student completed an NFA course, or NFA can mail NFA certificates to the State Training agency after the applications are received. Those certificates will be bulk mailed to the State. If the State is not requesting certificates, completed applications are still required.

All information must be submitted using the NFA reporting tool listed under Other Information of this package.

3. For Six-Day courses: All applicants must submit standard application forms, FEMA Form 75-5 (long form) to the State or sponsoring/host organization prior to the start of the class. The form, which lists essential applicant information, is required so that all applicants can be fairly and correctly evaluated. Student admissions, including application review will be the responsibility of the State for all six-day classes. Application review shall be based on criteria contained in the attachment for each specified course. Applications for six-day classes will be forwarded to NETC's Office of Admissions within 10 days of course completion.
4. Students or their sponsoring agency will be responsible for their own transportation to/from the class site. All arrangements for transportation, housing and meals are to be made through the sponsoring/host organization. **Student stipends are not available from the NFA for these offerings.**
5. The Grantees are required to pay for the costs of printing and shipping of course materials with the funding provided under this grant. Camera-ready masters of student course materials will be provided separately to the host sponsor as deemed by the State upon request for courses. States must contact the logistical coordinator (Linda.Pecher@associates.dhs.gov) to obtain a master copy for printing of six-day courses.
6. The Grantees must use instructors from NFA's pre-qualified lists, which are found on the NFA Web Page for all courses except State sponsored courses listed in categories 1.
7. The Grantee's training designee shall communicate with the NFA's logistical contractor located on the NETC campus in Emmitsburg, Maryland at Linda.Pecher@associates.dhs.gov at least 45 calendar days prior to the start date of each course delivery to request any needed support materials.

8. The Grantee's point of contact shall provide the NFA logistical coordinator (SCSC, NETC, 16825 South Seton Avenue, Emmitsburg, MD 21727) all completed course/instructor evaluation forms and any other equipment and materials provided or loaned by NFA. These shall be provided to NFA within 10 calendar days after the completion date of the course delivery.
9. Each State shall spend no more than \$23,000 in costs relating directly to the delivery of courses. These costs may include but not be limited to instructor costs, printing/procurement of manuals and audiovisual aids, classroom facility use costs, etc. **Computer/equipment purchase is not allowed.** The "end of year balance" could be used to duplicate student manuals no longer in print.
10. Each State shall spend no more than \$5,000 in costs relating directly to administrative costs such as recruiting of students, mailing, and reporting to NFA the necessary feedback for each course. **Computer/equipment purchase is not allowed.**

**G. Other - GOVERNMENT FURNISHED MATERIALS**

1. NFA certificates (completed by the Office of Admissions) upon receipt of Applications 75-5A (for two-day courses, short form; 75-5 for six-day long form). Completed admissions form shall be sent to:

NETC Admissions Office  
State Training Grant  
16825 South Seton Avenue  
Emmitsburg, Maryland 21727.

End-of-course evaluations are not required.

**APPLICATION REVIEW INFORMATION**

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*(Required)*

- A. **Review Criteria** – The application will be reviewed and recommended for funding by the DHS/FEMA/USFA/NFA based on the program criteria identified in this announcement.

*(Required)*

- B. **Review and Selection Process** – The application will be reviewed and recommended for funding by the DHS/FEMA/USFA/NFA Project Officer based on the program criteria identified in this announcement. Selections will be submitted to DHS/FEMA Grants Program Directorate for funding award from the 50 State Fire Training systems.

*(Optional)*

- C. **Anticipated Announcement and Award Dates** – Upon review and recommendation by DHS/FEMA/USFA/NFA Project Officer, DHS/FEMA Grants Program Directorate will make the award. Awards will be made on or before September 30, 2009.

## **AWARD ADMINISTRATION INFORMATION**

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*(Required)*

- A. **Notice of Award** - Upon approval of an application, the grant will be awarded to the grant recipient. The date that this is done is the “award date.” **Notification of award approval is made through the Grants Management System (GMS). Once an award has been approved, a notice is sent to the authorized grantee official.** Follow the directions in the notification and log into GMS to access the award documents. The authorized grantee official should carefully read the award and special condition documents. If you do not receive a notification, please contact your Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option 3, to obtain the username and password associated with the new award.
- B. **Compliance** – The recipient and any subrecipients must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of the award, and the approved application.
- C. **Administrative and National Policy Requirements** – The award is subject to the following administrative and national policy requirements.
1. **Administrative and Cost Principles.** The following Administrative and Cost Principles, as applicable, apply to the award.
    1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
    2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
    3. 2 CFR Part 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)
    4. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
    5. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)

6. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations
7. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

2. **Nondiscrimination.** The award is subject to the following:

- a. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964. As amended, 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 be subject to discrimination under any program or activity receiving federal financial assistance. Title VI also extends protection to persons with limited English proficiency. (42 U.S.C. 2000d et seq.)
- b. TITLE IX OF THE EDUCATION AMENDMENTS OF 1972. Provides that no person in the United States shall, *on the basis of sex*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving federal financial assistance. (20 U.S.C. 1681 et seq.)
- c. THE AGE DISCRIMINATION ACT OF 1975. Provides that no person in the United States shall, *on the basis of age*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance. (42 U.S.C. 6101 et seq.)
- d. SECTION 504 OF THE REHABILITATION ACT OF 1973. Provides that no otherwise qualified individual with a disability in the United States, shall, *solely by reason of his/her disability*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance. (29 U.S.C. 794 et seq.)
- e. THE AMERICANS WITH DISABILITIES ACT OF 1990 (“ADA”). Prohibits discrimination *on the basis of disability* in employment (Title I), state and local government services (Title II), places of public accommodation and commercial facilities (Title III). (42 U.S.C. 12101-12213)

3. **Certifications and Assurances.** Certifications and assurances regarding the following apply:

- a. LOBBYING SECTION 319 OF PUBLIC LAW 101-121. Prohibits the use of federal funds in lobbying members and employees of Congress, as well as employees of federal agencies, with respect to the award or amendment of any federal grant, cooperative agreement, contract, or loan. DHS has codified restrictions upon lobbying at 6 CFR Part 9. (31 U.S.C. 1352) (Refer to form included in application package.)

- b. DRUG-FREE WORKPLACE ACT. Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involve in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. (41 U.S.C. 701 et seq.) (Refer to Attachment.)
  - c. DEBARMENT AND SUSPENSION. Executive Orders (E.O) 12549 and 12689 provide protection from fraud, waste, and abuse by debarring or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving federal assistance. (Refer to Attachment.)
  - d. FEDERAL DEBT STATUS. The recipient may not be delinquent in the repayment of any federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (OMB Circular A-129) (Refer to SF 424, item number 17.)
  - e. HOTEL AND MOTEL FIRE SAFETY ACT. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds, complies with the Hotel and Motel Fire Safety Act of 1990.
4. **Payment.** DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form.
- a. The Recipient may be paid in advance, or reimbursed by completing the Standard Form (SF) 270, Request for Advance/Reimbursement. In accordance with Treasury regulations at 31 CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds (See 44 CFR Part 13.21(i)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to **minimize** the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.
  - b. In order to download the Standard Forms 270 and 1199A, the Recipient may use the Internet at:

<http://www.whitehouse.gov/omb/grants/sf270.pdf>  
<http://www.fms.treas.gov/eft/1199a.pdf>.

**NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. YOU MUST SUBMIT A REQUEST FOR ADVANCE/REIMBURSEMENT (SF270) IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO YOUR ACCOUNT**

*(Required)*

**C. Reporting Requirements. –**

1. Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements. Please note that FEMA Payment and Reporting System (PARS) contain edits that will prevent access to funds if reporting requirements are not met on a timely basis.
2. **Quarterly Performance Reports –**
  - a. The recipient shall submit quarterly performance reports within 30 days after the end of each period. Reports are due on July 30, October 30, January 30 and April 30.
  - b. The report shall consist of a comparison of actual accomplishments to the approved project objectives.
  - c. Copies of Performance Reports shall be submitted to the Grants Management Specialist and the PO listed under VII. Department of Homeland Security Contacts.
  - d. The final performance report should provide a narrative on what the Recipient accomplished with the cooperative agreement funds and any benefits derived.
  - e. NFA Required Performance Reports. Copies of NFA Required Performance Reports shall be submitted to the PO listed under VII. Department of Homeland Security Contacts.

Reporting periods and due dates:

- October 1 – December 31; *Due January 23*
- January 1 – March 31; *Due April 24*
- April 1 – June 30; *Due July 24*
- July 1 – September 30; *Due October 23*

NFA has developed a standard quarterly performance report. The States may use this report for the quarterly report submissions or continue to report as you have in the past. Reports should include title of delivered course, dates and number of students trained, course and administrative cost break-down, and any challenges or questions associated with the spending or delivering of the courses

using this grant money. If there is no activity during the quarter, submit the quarterly report stating “**no activity.**”

2. **Financial Status Reports (FSR) -- required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FSR, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, FSR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FSR is due 90 days after the end date of the performance period.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

## FEMA CONTACTS

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***(Required)***

The DHS/FEMA Project Officer (PO) shall be the official who will be responsible for the technical monitoring of the stages of work and technical performance of the activities described in the program narrative statement. The Project Officer is:

Ms. Diane Close  
U.S. Department of Homeland Security  
FEMA/National Emergency Training Center  
16825 S. Seton Avenue  
Emmitsburg, Maryland 21727  
301-447-1376 voice  
301-447-1005 fax  
[Diane.close@dhs.gov](mailto:Diane.close@dhs.gov)

## OTHER INFORMATION

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*(Optional)* –

**Special Note:** Continuation of this program may depend upon spending monies in approved work plans and meeting reporting requirements.

Reporting requirements are:

- Submission of completed applications to the NETC Admissions Office within 10 days after the course delivery.
- Quarterly reports shall be submitted to the PO listed under VII. Department of Homeland Security Contacts.

### **Copyright and Data Rights:**

A. Copyright: The recipient may publish, or otherwise exercise copyright in, any work first produced under this Agreement unless the work includes any information that is otherwise controlled by the Government (e.g. classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyrighted work based on or containing data first produced under this Agreement, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. 401 or 402, and an acknowledgement of Government sponsorship (including award number) to any work first produced under this Agreement.

B. Data rights:

1. General Requirements. The Grantee grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in:
  - a. Any data that first produced under this Agreement and provided to the Government;
  - b. Any data owned by third parties that is incorporated in data provided to the Government under this Agreement; or
  - c. Any data requested in paragraph 2 below, if incorporated in the Agreement.

“Data” means recorded information, regardless of form or the media on which it may be recorded.

2. Additional requirement for research awards.
  - a. Requirement. If the Government believes that it needs additional research data that was produced under this Agreement, the government may request the research data and the Recipient agrees to provide the research data within a reasonable time.
  - b. Applicability. The requirement in paragraph 2.a of this section applies to any research data that are:
    - (1) Produced under this agreement, either as a recipient or subrecipient;
    - (2) Used by the Government in developing an agency action that has the force and effect of law; and
    - (3) Published, which occurs either when:
      - a The research data is published in a peer-reviewed scientific or technical journal; or
      - b DHS publicly and officially cites the research data in support of an agency action that has the force and effect of law.
  - c. Definition of “research data.” For the purposes of this section, “research data”:
    - (1) Means the recorded factual material (excluding physical objects, such as laboratory samples) commonly accepted in the scientific community as necessary to validate research findings.
    - (2) Excludes:
      - a Preliminary analyses;
      - b Drafts of scientific papers;
      - c Plans for future research;
      - d Peer reviews;
      - e Communications with colleagues;
      - f Trade secrets;
      - g Commercial information;
      - h Materials necessary that a researcher must hold confidential until they are published, or similar information which is protected under law; and
      - i Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.
3. Requirements for subawards. The Recipient agrees to include in any subaward made under this Agreement the requirements of the *Copyright* and *Data Rights* paragraphs this of this article and of 37 C.F.R. 401.14, if included in this Agreement by reference.

Reports are due on the following dates:

1<sup>st</sup> quarter report – due January 23, 2009

2<sup>nd</sup> quarter report - due April 24, 2009

3<sup>rd</sup> quarter report – due July 24, 2009

4<sup>th</sup> quarter & final report – due October 23, 2009

Please submit NFA grant quarterly reports to Diane Close, Project Manager, at [diane.close@dhs.gov](mailto:diane.close@dhs.gov) or fax to (301) 447-1005, attention Diane Close; as well as to the Grants Management Specialist listed under VII. Department of Homeland Security Contacts.

**In addition to the attached quarterly report, you must submit application forms for all NFA Grant Funded courses. These applications are the means by which the NFA justifies the funding for these grants.**

For all **NFA 2-day courses** please provide the following within **10 days** after delivery: 75-5A (short form) Application

For all **NFA 6-day courses** please provide the following within **10 days** after delivery:  
75-5 (long form) Application

Send applications to:

NETC Admissions Office  
Attn: State Training Grant  
16825 S. Seton Ave., Bldg I  
Emmitsburg, MD 21727

Please indicate that the courses are State Training Grant funded.

**Please provide us with your Organization name, address & phone number on page 6 of each report. Thank you!**

<i>No Activity this Quarter</i>	
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<b>State Training Hand off and 2 Day Courses</b>		<b>Dates</b>	<b># of Students</b>
ADFR H201	Arson Detection for the First Responder		
BLS/HM H246	Basic Life Support/Hazardous Materials		
CCW/UFOSCO H612	Cmd/Ctrl of Wld/Urban Fire Ops for the Structural Chief Officer		
CRIP1 H347	Community Risk Issues and Prevention Interventions		
CLIWUIO H613	Cooperative Leadership Issues in Wildland/Urban Interface Operations		
CPTFR H209	Courtroom Preparation and Testimony for First Responders		
ERT:BC H531	Emergency Response to Terrorism: Basic Concepts		
ERT:SCCO H555	Emergency Response to Terrorism: Strategic Considerations for Command Officers		
ERT:TC-CO H552	Emergency Response to Terrorism: Tactical Considerations-Company Officer		
ERT:TC-EMS H554	Emergency Response to Terrorism: Tactical Considerations-Emergency Medical Services		
ERT:TC-HM H553	Emergency Response to Terrorism: Tactical Considerations—Hazardous Materials		
ESS:I H518	Executive Skills Series: Influencing		
ESS:LDCBC H516	Executive Skills Series: Leading Diverse Communities Beyond Conflict		

ESS:MLC H517	Executive Skills Series: Managing and Leading Change		
FPSD H271	Fire Prevention for First Responders and Small Departments		
FPHRP: ADF H275	Fire Prevention for High-Risk Populations: Age and Disability Factors		
HSO (Revised) H720	Health and Safety Officer (Revised)		
ICHO H321	Incident Command for Highrise Operations		
ICS for EMS H160	Incident Command System for Emergency Medical Services		
ICSSCI H322	Incident Command System for Structural Collapse Incidents		
ISO (Revised) H729	Incident Safety Officer (Revised)		
IRHMI: BC H809	Initial Response to Hazardous Materials Incidents: Basic Concepts		
IRHMI:CI H808	Initial Response to Hazardous Materials Incidents: Concept Implementation		
IUCMCI H729	Introduction to Unified Command for Multi-Agency and Catastrophic Incidents		
IWUIFSCO H610	Introduction to Wildland and Wildland/Urban Interface Firefighting for Structural Company Officer		
JFIS-I H626	Juvenile Firesetter Intervention Specialist I		
JFIS-II H627	Juvenile Firesetter Intervention Specialist II		
LS-I H803	Leadership I: Strategies for Company Success		
LS-II	Leadership II: Strategies for Personal Success		

H804			
LS-III H805	Leadership III: Strategies for Supervisory Success		
MCTO:T H451	Managing Company Tactical Operations: Tactics		
MCE H604	Managing in a Changing Environment		
MFPC H273	Marketing Fire Prevention in Your Community		
MESE H344	Methods of Enhancing Safety Education		
NIMS ICS for EMS H160	NIMS Incident Command System for Emergency Medical Services		
NIMS ICS for FS H806	NIMS Incident Command System for Fire Service		
PICO H458	Preparation for Initial Company Operations (formerly MCTO: Preparation)		
PFRBSF: RUS H276	Preventing Fire Risk Based on Socioeconomic Factors: Rural and Urban Settings		
PMSD H272	Prevention and Mitigation Advocacy for Small Departments Responders		
STF H602	Shaping the Future		
STICO H455	Strategy and Tactics for Initial Company Operations		
TOSD H290	Training Operations in Small Departments		

<b>State Training 6 Day Course</b>		<b>Dates</b>	<b># of Students</b>
ASOM H154	Advanced Safety Operations and Management		
CLTO H815	Challenges for Local Training Officers		
CCFDOTH H314	Command and Control of Fire Department Operations at Target Hazards		
CCIO H831	Command and Control of Incident Operations		
	Command and General Staff Functions for Local Incident Management Teams		
EPBD H108	Evaluating Performance-Based Designs		
FCDCO H811	Fire Cause Determination for Company Officers		
FSPCTFC H802	Fire Service Planning Concepts for the Twenty-First Century		
HMIM H243	Hazardous Materials Incident Management		
IFI H216	Initial Fire Investigation		
JFIP I	Juvenile Firesetter Intervention Professional I		
JFIP II	Juvenile Firesetter Intervention Professional II		
LCFP H823	Leading Community Fire Prevention		
PEPEP H116	Presenting Effective Public Education Programs		

**State Training (continued)**

**Expenditures**

Please indicate if applications have been sent to our Admissions office. Yes  No

**Submitted by:**

**Organization:** \_\_\_\_\_

**Point of Contact:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
**City, State Zip code:** \_\_\_\_\_

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

**Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, AAudits of States, Local Governments, and Non-Profit Organizations.≡
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  Joseph E. Wainscott	TITLE  Executive Director
APPLICANT ORGANIZATION  Indiana Department of Homeland Security	DATE SUBMITTED  June 11, 2009

Standard Form 424B (Rev. 7-97) Back

ATTACHMENT C  
AWARD AND SPECIAL CONDITIONS



Department of Homeland Security, FEMA  
Grant Programs Directorate

September 4, 2009

Washington, D.C. 20531

Mr. Joseph Wainscott Jr.  
Indiana Department of Homeland Security  
302 West Washington Street  
Indianapolis, IN 46204

Dear Mr. Wainscott:

I am pleased to inform you that the Grant Programs Directorate has approved the application for funding under the FY 09 State Fire Training Grants in the amount of \$28,000 for Indiana Department of Homeland Security.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Diane Close, Program Manager at (301) 447-1376;
- Financial and Payment Questions, Grants Management Division (GMD) at (866) 927-5646, or send an email to [ask-GMD@dhs.gov](mailto:ask-GMD@dhs.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Manning".

Timothy W. Manning  
Deputy Administrator, National Preparedness Directorate

Enclosures



**Department of Homeland Security, FEMA**  
Grant Programs Directorate  
Grants Management Division

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Washington, D.C. 20531

September 4, 2009

Mr. Joseph Wainscott Jr.  
Indiana Department of Homeland Security  
302 West Washington Street  
Indianapolis, IN 46204

Reference Grant Number: 2009-RB-63-0139

Dear Mr. Wainscott:

I am pleased to inform you that my office has approved the following budget categories for the aforementioned grant award in the cost categories identified below:

Category	Budget
Personnel	\$0
Fringe Benefits	\$0
Travel	\$0
Equipment	\$0
Supplies	\$4,900
Construction	\$0
Contractual	\$22,400
Other	\$700
Total Direct Cost	\$28,000
Indirect Cost	\$0
Total Project Cost	\$28,000
Federal Funds Approved:	\$28,000
Non-Federal Share:	\$0
Program Income:	

If you have questions regarding this award, please contact:

- Financial and Payment Questions, Grants Management Division (GMD) at (866) 927-5646,  
or send an email to [ask-GMD@dhs.gov](mailto:ask-GMD@dhs.gov).

Congratulations, and we look forward to working with you.

Sincerely,



Lisa A. Lewis

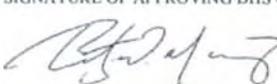
Division Director, Grants Management Division



Department of Homeland Security FEMA  
Grant Programs Directorate

**Grant**

PAGE 1 OF 2

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Indiana Department of Homeland Security 302 West Washington Street Indianapolis, IN 46204		4. AWARD NUMBER: 2009-RB-63-0139	
		5. PROJECT PERIOD: FROM 09/15/2009 TO 09/14/2010 BUDGET PERIOD: FROM 09/15/2009 TO 09/14/2010	
1A. GRANTEE IRS/VENDOR NO. 356000158		6. AWARD DATE 09/04/2009	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT	\$ 0
3. PROJECT TITLE FY 09 State Fire Training Grants		10. AMOUNT OF THIS AWARD	\$ 28,000
		11. TOTAL AWARD	\$ 28,000
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, P.L. No. 110-329			
15. METHOD OF PAYMENT SF-270			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING DHS OFFICIAL Timothy W. Manning Deputy Administrator, National Preparedness Directorate		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Joseph Wainscott Executive Director	
17. SIGNATURE OF APPROVING DHS OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 9/22/09
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT 3 6 RB 77 00 00 28000		21. E460522N45	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Homeland Security  
FEMA  
Grant Programs Directorate

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 2 OF 2

PROJECT NUMBER 2009-RB-63-0139

AWARD DATE 09/04/2009

*SPECIAL CONDITIONS*

1. The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:
  - A. Administrative Requirements
    1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
    2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
  - B. Cost Principles
    1. 2 CFR Part 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)
    2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
    3. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
    4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations
  - C. Audit Requirements
    1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
2. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.
3. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2009 State Fire Training Systems Grants Guidance and Application Kit.



**Department of Homeland Security, FEMA**

*Grant Programs Directorate*

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*Washington, D.C. 20531*

**Memorandum To:** Official Grant File

**From:** Jeffrey Hall, NEPA Coordinator

**Subject:** Incorporates NEPA Compliance in Further Developmental Stages for Indiana Department of Homeland Security

The recipient shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modification to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

A handwritten signature in blue ink, appearing to read "J. Hall".



Department of Homeland Security  
FEMA  
Grant Programs Directorate

**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Grant**

PROJECT NUMBER

2009-RB-63-0139

PAGE 1 OF 1

This project is supported under Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, P.L. No. 110-329

1. STAFF CONTACT (Name & telephone number)

Diane Close  
(301) 447-1376

2. PROJECT DIRECTOR (Name, address & telephone number)

Andrew Zirkle  
Grants Section Chief  
302 West Washington Street  
E-208  
Indianapolis, IN 46204-2261  
(317) 234-3321

3a. TITLE OF THE PROGRAM

FY 09 State Fire Training Grants

3b. POMS CODE (SEE INSTRUCTIONS  
ON REVERSE)

4. TITLE OF PROJECT

FY 09 State Fire Training Grants

5. NAME & ADDRESS OF GRANTEE

Indiana Department of Homeland Security  
302 West Washington Street  
Indianapolis, IN 46204

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 09/15/2009 TO: 09/14/2010

8. BUDGET PERIOD

FROM: 09/15/2009 TO: 09/14/2010

9. AMOUNT OF AWARD

\$ 28,000

10. DATE OF AWARD

09/04/2009

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

NFA State Training Grants supports delivery of courses unavailable at the State and local level using NFA course materials and reporting of student data back to USFA and continues the USFA mission of enhancing the professionalism of the fire and emergency services sector of the Nation. These grants support local training initiatives of NFA courses in four categories: delivery of NFA State sponsored courses in State and local areas; delivery of selected NFA 6-day and 2-day off campus courses; endorsement program courses; and chief officer training curriculum.

## ATTACHMENT D

**Federal Procurement and Contracting Requirements:** A SATTACHub-grantee is required to follow its own procurement procedures **as long as those procedures meet or exceed the federal procurement standards** established in 44 CFR 13.36. A summary of some of these federal requirements is included below

### A. Procurement Methods (44CFR 13.36(d))

- i. Small purchases (44 CFR 13.36(d)(1))
  - To purchase services and supplies under \$100,000
    - Do not exceed simplified acquisition threshold of \$100,000
    - Obtain price or rate quotation from adequate number of qualified sources
    - Relatively simple and informal method
  - Awarded based on lowest documented price quote
- ii. Sealed bids (formal advertising) (44 CFR 13.36(d)(2))
  - To purchase construction, debris services, etc.
    - Bids publicly solicited and advertised and a firm-fixed-price contract (lump sum or unit price) awarded
    - Adequate and realistic description of project is available.
    - Two or more responsible bidders are able to compete effectively
    - Allow sufficient time for bidders to respond
    - Invitation for bids defines project adequately
    - Bids publicly opened at time and place prescribed in invitation
    - Approved and awarded in writing
    - All bids may be rejected for sound documented reason
  - Awarded to the responsible bidder whose bid conforms with invitation for bid and whose bid is lowest in price
- iii. Competitive proposals (44 CFR 13.36(d)(3))
  - To purchase Architectural, engineering or professional and personal services
    - Bids publicly advertised; identify& all evaluation factors that will be used
    - Any response shall be honored to the maximum extent practical
    - Proposals solicited from an adequate number of qualified sources
    - Method for conducting technical evaluations of proposals in place
  - Contracts are awarded to responsible firm based on contractor qualifications, subject to fair and reasonable compensation
- iv. Noncompetitive proposals (44 CFR 13.36(d)(4))
  - When it can be documented that competition is inadequate or public urgency for work will not permit delay. Preauthorization required in most instances and it must be documented that:
    - Not feasible under small purchase procedures, sealed bids or competitive
    - Item is only available from one source
    - Public exigency or emergency will not permit delay
    - The State authorizes noncompetitive proposal [noncompetitive or sole source procurements in excess of \$75,000 shall be submitted to the State for review prior to initiating the procurement]
    - Competition is determined inadequate
    - Cost or price analysis is required
    - Noncompetitive award to professionals under retainer not allowed
  - Proposal is received from only one source or after competition is documented inadequate

### B. General Federal Procurement Standards (44 CFR 13.36(b)):

- Contracts must be monitored by the Sub-grantee to assure compliance with terms, conditions and specifications of contracts or purchase orders.
- The Sub-grantee must maintain written code of standards governing award and administration of contracts (conflicts of interest, selection and award, etc.) and must comply with the applicable federal conflict of interest requirements established in 44 CFR 13.36(b)(3)

- The Sub-grantee will review proposed procurements to avoid unnecessary or duplicate purchases
- Intergovernmental agreements for procurement are encouraged
- Use of excess and surplus property is suggested when feasible
- Use of value engineering clauses in construction contracts of sufficient size is encouraged
- Contracts will be awarded only to responsible contractors possessing ability to perform
- Supporting documents must be maintained to be included - rationale for method of procurement, selection of contract type, contractor selection or rejection and basis for contract price
- Use of time and material contracts is limited to situations where 1) no other contract is feasible, and 2) includes a ceiling price. (This must be documented)
- The Sub-grantee will have responsibility for settlement of all contractual and administrative issues arising out of procurements
- The Sub-grantee must have protest procedures to handle and resolve disputes relating to procurements

**C. Competition (44 CFR 13.36(c)):**

- All procurement transactions will provide full and open competition. Examples of restrictive competition include:
  - a. Unreasonable requirements on firms in order for them to qualify
  - b. Requiring unnecessary experience or excessive bonding
  - c. Noncompetitive awards to consultants on retainer
  - d. Organizational conflicts of interest
  - e. Specifying only brand name products
  - f. Any arbitrary action in the procurement process
- Geographical preferences in evaluation of bids is restricted
- Written selection procedures must be in place for all procurements identifying all requirements firms must fulfill
- Ensure all pre-qualified lists of persons, firms or products are current and include enough qualified sources to ensure maximum open and free competition

**D. Affirmative Action (44 CFR 13.36(e)):**

- The Subgrantee will take all necessary affirmative action steps to ensure that minority firms, women's business enterprises, and labor surplus area firms are used when possible

**E. Contract Cost and Price: (44 CFR 13.36(f))**

- The Sub-grantee must perform cost or price analysis in connection with every procurement action
- The Sub-grantee must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.
- Costs and prices based on estimated costs will be allowable only to the extent that they are consistent with Federal cost principles.
- Cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

**F. State Review: (44 CFR 13.36(f))**

- The Sub-grantee must make available to the State technical specifications on proposed procurements and, on request, make pre award documents available i.e. requests for proposals or invitations for bids, independent cost estimates.
- Review is required in all cases when a Sub-grantee's procurement procedure fails to comply with standards, procurement exceeds simple acquisition threshold and is awarded without competition or only one bid or offer is received, or is awarded to other than low bidder or brand name is specified.
- The Sub-grantee may request that its procurement system be reviewed to determine whether its system meets these standards, or the Sub-grantee may self-certify its procurement system

**G. Bonding Requirements: 44 CFR 13.36(h)**

- For construction or facility improvement contracts exceeding \$100,000, the State may accept the Sub-grantee's bonding policy and requirements. If such a determination has not been made, the following are minimum bonding requirements

- A bid guarantee from each bidder equivalent to five (5) percent of bid price
- A performance bond from contractor for 100% of contract price
- Payment bond of the part of the contractor for 100% of the contract price.

**H. Types of Contracts**

Lump sum:	Contract for work within a prescribed boundary with a clearly defined scope and total price
Unit price	Contract for work done on an item-by-item basis with cost determined on a unit basis
Cost + fixed fee	Either a lump sum or unit price contract with a fixed contractor fee added into price
Time & materials	Should be avoided, but may be allowed for work necessary immediately after disaster and after a determination that no other contract is suitable; include a cost ceiling or “not to exceed” provision [44CFR13. 36(b)(10)]
Cost plus %of cost	Not allowed by FEMA Regulations
Contingency	Not allowed by FEMA Regulations

**I. Contract Provisions: (44 CFR 13.36(i)) Contracts must contain these provisions:**

- Administrative, contractual or legal remedies in instances where contractors violate or breach contract terms
- Termination clause for cause and termination for convenience
- Compliance with Equal Employment Opportunity regulations
- Compliance with Anti-Kickback regulations
- Compliance with Davis-Bacon Act
- Compliance with Contract Work Hours and Safety Standards Act
- Notice of reporting requirements and regulations pertaining to reporting
- Notice of requirements pertaining to patent rights
- Notice of requirements pertaining to copyrights and rights in data
- Access of any records by grantee, sub grantee, Federal grantor, Comptroller or any duly authorized representatives
- Records must be retained for at least three years after final payments are made
- Compliance with CAA, CWA, EPA regulations
- Mandatory standards relating to energy efficiency