

2010 STATE FIRE TRAINING SYSTEMS GRANT PROGRAM

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 guidance document titled “Fiscal Year 2010 State Fire Training Systems Grant Program; Guidance and Application Kit, March 2010,” attached as Attachment A of this document and fully incorporated herein.
2. **Federal Regulations:** The Sub-grantee shall comply with the most recent version of the following 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”.
 - 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. (OMB Circular A-87)
 - 2 CFR Part 220, Educational Institutions. (OMB Circular A-21)
 - 2 CFR Part 230, Non-profit Organizations. (OMB Circular A-122)
 - 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 requirements in the Award and Special Conditions in **Attachment B** of this document and the applicable federal Assurances in **Attachment C** of this document. Both Attachment B and Attachment C are fully incorporated herein.
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, fully incorporated herein.
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. **Applicability and Transfer of Requirements to Subawardees:** If the Sub-grantee subawards funds provided under the Agreement to another eligible entity or purchases equipment or other property with these funds and transfers the title of the equipment or other property to another eligible entity; the Sub-grantee shall do so through a sub-grant agreement or other contractual instrument that makes the entity that is the recipient of the funds, equipment, or property legally obligated to comply with all of the applicable terms and conditions contained in or referenced by the Agreement that are applicable to the Sub-grantee.
7. **Requirements Applicable to Property/Equipment Purchased Using Grant Funds:** For all tangible, nonexpendable, personal property having a useful life of more than one year and a per unit cost of more than \$500 acquired in whole or in part with grant funds, the Sub-grantee must comply with the following requirements:
 - 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. If the property was assigned to an individual, the name and title of the individual to which the property was assigned;
 - x. Use of the property;
 - xi. Condition of the property; and
 - xii. 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. A copy of such documentation shall be promptly submitted to the State.
 - 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. For all property having an acquisition cost of over \$5,000, acquired in whole or in part with funds provided under the Agreement, the Sub-grantee must also comply with the applicable federal requirements pertaining to equipment in 44 CFR 13.32.
 - F. 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.
 - G. The Sub-grantee agrees to the following:
 - 1. The equipment and any required support personnel shall be made available to the State of Indiana if requested as part of a state incident response.
 - 2. The equipment shall be made available to other jurisdictions within the Homeland Security District as a district asset. The use of the equipment shall be addressed through existing inter-jurisdictional mutual aid, district mutual aid or equipment-specific use agreements.
 - 3. Personal use of the equipment is not permitted.
 - H. If a Sub-grantee fails to comply with any part of this provision; the Sub-grantee may be required to repay to the State some or all of the funds provided to the Sub-grantee under the Agreement for the purchase of the property. In addition, such a failure to comply may jeopardize the Sub-grantee's ability to obtain future grants from the State.
 - I. These requirements are on-going and survive the expiration or termination of the Agreement and will remain in effect until the property is disposed of in accordance with the Agreement and applicable federal regulations.
8. **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.

Allowed Political Activity	Prohibited Political Activity
May be a candidate for public office in a nonpartisan election	May not be a candidate for public office in a partisan election
May campaign for and hold elective office in political clubs and organizations	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 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 not directly or indirectly coerce contributions from subordinates in support of a political party or candidate
May contribute money to political organizations or attend political fundraising functions	
May participate in any activity not specifically prohibited by law or regulation	

- 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>)

9. **Additional Federal Requirements:** The following are some federal requirements contained in the Guidance Document or the Special Conditions:
 - A. **Prohibited Use of Federal Funds.** No federal funds can be used, 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.
 - B. **Classified National Security Information.** The following requirements are applicable:
 - i. "Classified national security information," as defined in Executive Order (EO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.
 - ii. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and has access to such information.
 - iii. When an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contract, subawardee, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or an appropriate official within the Federal department or agency with whom the classified effort will be performed.
 - iv. Immediately upon determination by the award recipient that funding under this award will be used to support such a contract, subaward, or other agreement, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, or the applicable federal department or agency, for approval and processing instructions.
 - C. **Compliance with Federal civil rights laws and regulations.** The Sub-grantee is required to comply with Federal civil rights laws and regulations. A sub-grantee is required to provide information, as required, to the State or the U.S. DHS Office for Civil Rights and Civil Liberties

concerning its compliance with these laws and their implementing regulations. Specifically, the Sub-grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following laws and their implementing regulations and is required to comply with these laws and regulations:

- *Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000 et seq.* – Provides that no person on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d *et seq.*)
- *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §1681 et seq.* – Provides that no person, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794* – Provides that no otherwise qualified individual with a disability in the United States, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. §6101 et seq.* – Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

- D. **Services to limited English proficient (LEP) persons.** Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The Sub-grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>.
- E. **Integrating individuals with disabilities into emergency planning.** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial from FEMA. In addition, Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the Federal government to encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.
- F. **Environmental and Historic Preservation Compliance.** A broad category of projects are subject to federal Environmental and Historic Preservation (EHP) Program requirements, including projects that involve construction, projects that would modify or renovate existing structures, projects to install equipment or security measures in existing buildings or structures and some full-scale exercises. Before such a project is initiated, approval must be obtained from FEMA through the IDHS. For more information on FEMA's EHP requirements, the Sub-grantee should refer to FEMA's Environmental Planning and Historic Preservation Requirements for Grants Information Bulletin's #329 and #345, at the following FEMA website: <http://www.fema.gov/government/grant/bulletins/index.shtm#0>. Additional information and

resources can also be found at: <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

- G. **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)
- H. **Hotel and Motel Fire Safety Act of 1990** – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, 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 fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

10. 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.

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 CFR 401.14, if included in this Agreement by reference.

ATTACHMENT A



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2010

STATE FIRE TRAINING SYSTEMS GRANT PROGRAM

GUIDANCE AND APPLICATION KIT

MARCH 2010



U.S. DEPARTMENT OF HOMELAND SECURITY

Attachment A-Page 2 of 32

Title of Opportunity: State Fire Training Systems Grants

Funding Opportunity Number: DHS-10-USFA-043-000-01

Federal Agency Name: U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA)

Announcement Type: Initial

Dates: Completed applications must be submitted **no later than 11:59 PM Eastern, April 19, 2010.**

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PART I.

FUNDING OPPORTUNITY DESCRIPTION

THE FOLLOWING 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 2010, 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.

PART II. **AWARD INFORMATION**

Type of Award: DHS/FEMA/USFA/NFA anticipates awarding 50 grants to the State Fire Training Systems.

Authorizing Statutes

Federal Fire Prevention and Control Act of 1974 (15 U.S.C. §2201 et seq.) and the Homeland Security Act of 2006 (6 U.S.C. §101 et seq.)

Period of Performance

The period of performance of this grant is 12 months. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications as to why an extension is required.

Available Funding

Estimated Funding: In fiscal year 2010, 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.

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

State Fire Training Systems

B. Cost Sharing

There will be no cost sharing or match funding requirement associated with this opportunity.

C. Restrictions

This funding opportunity is restricted to the 50 State Fire Training Systems.

D. Other

National Incident Management System Implementation Compliance

In accordance with Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the adoption of the National Incident Management System (NIMS) is a requirement to receive Federal assistance, through grants, contracts, and other activities. The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

Federal FY 2009 NIMS implementation must be considered prior to allocation of any Federal awards in FY 2010. The primary grantee/administrator of FY 2010 State Fire Training Systems award funds is responsible for determining if sub-awardees have demonstrated sufficient progress in NIMS implementation to disburse awards.

PART IV.
APPLICATION AND SUBMISSION
INFORMATION

A. Address to Request Application Package

FEMA makes all funding opportunities available through the common electronic “storefront” [grants.gov](http://www.grants.gov), accessible on the Internet at <http://www.grants.gov>. If you experience difficulties accessing information or have any questions please call the [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, 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.”

APPLICATIONS WILL NOT BE ACCEPTED THROUGH ANY OTHER WEB PORTAL OR SYSTEM.

B. Content and Form of Application

- 1. Application via www.grants.gov.** All applicants must file their applications using the Administration’s common electronic “storefront” - www.grants.gov. Eligible grantees must apply for funding through this portal, accessible on the Internet at www.grants.gov.

The application must be completed and submitted using www.grants.gov after Central Contractor Registration (CCR) 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 (Non-construction)
- Standard Form 424B, Standard Assurances (Non-construction)
- Standard Form LLL, Disclosure of Lobbying Activities (if the grantee has engaged or intends to engage in lobbying activities)
- Grants.gov (GG) Lobbying Form, Certification Regarding Lobbying

- FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Attachments: Project Narrative and the Budget Justification.

The program title listed in the CFDA is “*State Fire Training Systems Assistance Grants.*” The CFDA number is **97.043**.

- 2. Dun and Bradstreet Data Universal Numbering System (DUNS) number.** The applicant must provide a DUNS number with their application. This number is a required field within www.grants.gov and for CCR. 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.
- 3. Central Contractor Registration (CCR).** The application process also involves an updated and current CCR by the applicant, which must be confirmed at <http://www.ccr.gov>.
- 4. Project Narrative and 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.” A suggested template for the Budget Justification can be found in Part V.B of this document.

C. Submission Dates and Times

Application submissions will be received by midnight on April 19, 2010. Only applications made through www.grants.gov will be accepted.

D. Intergovernmental Review

This funding opportunity is not subject to Executive order (EO) 12372, “Intergovernmental Review of Federal Programs”.

E. 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 if they are included in the award agreement.

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.

F. Other Submission Requirements

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 Wild/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.

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).

G. Other Submission Requirements

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.

H. Other Government Furnished Materials

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.

PART V. APPLICATION REVIEW INFORMATION

A. Review Criteria

Applications will be reviewed and recommended for funding by the DHS/FEMA/USFA based on the program criteria identified in this announcement.

B. Review and Selection Process

Applications will be reviewed and recommended for funding by the DHS/FEMA/USFA and is restricted to the State Fire Training Systems.

Funds will not be made available for obligation, expenditure, or drawdown until the applicant's budget and budget narrative have been approved by FEMA.

The applicant must provide a detailed budget for the funds requested. The detailed budget must be submitted with the grant application as a file attachment within www.grants.gov. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detailed justification of M&A costs.

Sample Budget Detail Worksheet

The Budget Detail Worksheet may be used as a guide to assist applicants in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using the following suggested form, or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. 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 organization.

Name/Position

Computation

Cost

TOTAL _____

B. Fringe Benefits. Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman’s Compensation and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
TOTAL	_____	
Total Personnel & Fringe Benefits	_____	

C. Travel. Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
TOTAL	_____			

D. Equipment. List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than one year. (Note: Organization’s own capitalization policy and threshold amount for classification of equipment may be used). Expendable items should be included either in the “Supplies” category or in the “Other” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

TOTAL _____

E. Supplies. List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. (Note: Organization’s own capitalization policy and threshold amount for classification of supplies may be used). Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
---------------------	--------------------	-------------

TOTAL _____

F. Consultants/Contracts. Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
---------------------------	-------------------------	--------------------	-------------

Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

<u>Item</u>	<u>Cost</u>
-------------	-------------

Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

TOTAL _____

G. Other Costs. List items (e.g., rent, reproduction, telephone, security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Important Note: If applicable to the project, construction costs should be included in this section of the Budget Detail Worksheet.

TOTAL _____

H. Indirect Costs. Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	_____	_____
B. Fringe Benefits	_____	_____
C. Travel	_____	_____
D. Equipment	_____	_____
E. Supplies	_____	_____
F. Consultants/Contracts	_____	_____
G. Other	_____	_____
Total Direct Costs	_____	_____
H. Indirect Costs	_____	_____
* TOTAL PROJECT COSTS	_____	_____

Federal Request _____

Non-Federal Amount _____

C. Anticipated Announcement and Award Dates

Upon review and recommendation by DHS/FEMA/USFA Project Officer, DHS/FEMA Grant Programs Directorate will make the award. Awards will be made on or before September 30, 2010.

PART VI.

AWARD ADMINISTRATION INFORMATION

A. Notice of Award

Upon approval of an application, the grant will be awarded to the grantee. 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 grant official. Follow the directions in the notification to accept your award documents. The authorized grant official should carefully read the award and special condition documents. If you do not receive a notification, please contact your FEMA Program Office for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option three, to obtain the username and password associated with the new award.

The period of performance is 12 months and begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be de-obligated at the end of the close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the end of the period of performance and must address:

- Reason for delay;
- Current status of the activity/activities;
- Approved period of performance termination date and new project completion date;
- Remaining available funds, both Federal and non-Federal;
- Budget outlining how remaining Federal and non-Federal funds will be expended;
- Plan for completion including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) 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.

1. Standard Financial Requirements. The grantee and any subgrantee(s) shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

1.1 – Administrative Requirements.

- 44 CFR Part 13, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
- 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)

1.2 – Cost Principles.

- 2 CFR Part 225, *Cost Principles for State, Local, and Indian tribal Governments* (OMB Circular A-87)
- 2 CFR Part 220, *Cost Principles for Educational Institutions* (OMB Circular A-21)
- 2 CFR Part 230, *Cost Principles for Non-Profit Organizations* (OMB Circular A-122)
- 48 CFR 31.2, Federal Acquisitions Regulations (FAR), *Contracts with Commercial Organizations*

1.3 – Audit Requirements.

- OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*

1.4 – Duplication of Benefits. There may not be a duplication of any Federal assistance by governmental entities, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts 220 and 230 and 48 CFR 31.2.

2. 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, found at <http://www.fms.treas.gov/eft/1199a.pdf>.

The Recipient may be paid in advance, or reimbursed by completing the Standard Form (SF) 270, Request for Advance/Reimbursement. In order to download the Standard Form 270, the Recipient may use the following link: <http://www.whitehouse.gov/omb/grants/sf270.pdf>

2.1 – Advance Payment. 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.

NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. GRANTEES MUST SUBMIT A REQUEST FOR ADVANCE/REIMBURSEMENT (SF-270) IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO THE GRANTEE’S ACCOUNT.

3. Non-supplanting Requirement. Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

4. Administrative Requirements.

4.1 – Freedom of Information Act (FOIA). FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the *Freedom of Information Act* (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

4.2 – Compliance with Federal civil rights laws and regulations. The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964*, as amended, 42 U.S.C. §2000 et seq. – Provides that no person on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d et seq.)
- *Title IX of the Education Amendments of 1972*, as amended, 20 U.S.C. §1681 et seq. – Provides that no person, *on the basis of sex*, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973*, as amended, 29 U.S.C. §794 – Provides that no otherwise qualified individual with a disability in the United States, shall, *solely* by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975*, as amended, 20 U.S.C. §6101 et seq. – Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

4.3 – Services to Limited English Proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>.

4.4 – Certifications and Assurances. Certifications and assurances regarding the following apply:

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions.* – 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. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act,* as amended, 41 U.S.C. §701 et seq. – 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 involved 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. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension.* – Executive Orders 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. For additional information, see 2 CFR Part 3000.
- *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. (See OMB Circular A-129) (Refer to SF-424, item number 17.)
- *Hotel and Motel Fire Safety Act of 1990.* – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, 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 fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes.

4.5 – Integrating individuals with disabilities into emergency planning.

Section 504 of the *Rehabilitation Act of 1973*, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial funding from FEMA. In addition, Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* signed in July 2004, requires the Federal government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the Federal government to encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

4.6 – Environmental Planning and Historic Preservation Compliance. FEMA

is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA grant funding. FEMA, through its Environmental Planning and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: *National Environmental Policy Act*, *National Historic Preservation Act*, *Endangered Species Act*, the *Clean Water Act*, and Executive Orders on Floodplains (11988), Wetlands (11990), Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to low-income and minority populations.

The grantee shall provide all relevant information to FEMA to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact natural or biological resources or historic properties cannot be initiated until FEMA has completed the required EHP review. In addition to a detailed project description that describes what is to be done with the grant funds, how it will be done, and where it will be done, grantees shall provide detailed information about the project (where applicable), including, but not limited to, the following:

- Project location (i.e., exact street address or map coordinates)
- Total extent of ground disturbance and vegetation clearing
- Extent of modification of existing structures
- Construction equipment to be used, staging areas, etc.
- Year that any affected buildings or structures were built
- Natural, biological, and/or cultural resources present within the project area and vicinity, including wetlands, floodplains, geologic resources, threatened or endangered species, or National Register of Historic Places listed or eligible properties, etc.
- Visual documentation such as good quality, color and labeled site and facility photographs, project plans, aerial photos, maps, etc.

- Alternative ways considered to implement the project (not applicable to procurement of mobile and portable equipment)

For projects that have the potential to impact sensitive resources, FEMA must consult with other Federal, State, and tribal agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for the protection and/or management of natural and cultural resources, including Federally-recognized Indian tribes, Tribal Historic Preservation Offices, and the Department of the Interior, Bureau of Indian Affairs. For projects with the potential to have adverse effects on the environment and/or historic properties, FEMA's EHP review process and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Grantees who are proposing communication tower projects are encouraged to complete their Federal Communications Commission (FCC) EHP process prior to preparing their EHP review materials for FEMA, and to include their FCC EHP materials with their submission to FEMA. Completing the FCC process first and submitting all relevant EHP documentation to FEMA will help expedite FEMA's review.

Because of the potential for adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use grant funds toward the costs of preparing such documents. The use of grant funds for mitigation or treatment measures that are not typically allowable expenses will be considered on a case-by-case basis. Failure of the grantee to meet Federal, State, local and territorial EHP requirements, obtain required permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

Recipients shall not undertake any project without the prior approval of FEMA, and must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project description 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 their FEMA Program Office, and the appropriate State Historic Preservation Office. Any projects that have been initiated prior to approval will result in a non-compliance finding and will not be eligible for funding.

For more information on FEMA's EHP requirements, Grantees should refer to FEMA's Information Bulletin #329, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info329.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

C. Reporting Requirements

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). Any reports or documents prepared as a result of this grant shall be in compliance with Federal "plain English" policies, directives, etc. Please note that PARS contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Federal Financial Report (FFR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which replaced the SF-269 and SF-272, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR 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 FFR is due 90 days after the end date of the performance period.

FFRs must be filed according to the process and schedule below:

FFRs must be filed electronically through PARS.

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*

2. Progress Reports.

Quarterly Performance Reports –

- a. The Recipient shall submit quarterly performance reports electronically through GMS 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 grant funds and any benefits derived.

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*

- 3. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO's *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2010 assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

The State shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

- 4. Monitoring.** Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the Federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

5. Grant Close-Out Process. Within 90 days after the end of the period of performance, grantees must submit a final FFR and final progress report detailing all accomplishments throughout the period of performance. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

Required submissions: (1) final SF-425, due 90 days from end of grant period; and (2) final progress report, due 90 days from the end of the grant period.

PART VII.

FEMA CONTACTS

1. **Grant Programs Directorate (GPD)**

FEMA GPD's Grants Management Division will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov.

2. **Program Office Contact**

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

PART VIII.

OTHER INFORMATION

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.

Requirements for subawards. The Recipient agrees to include in any subaward made under this Agreement the requirements of the *Copyright* and *Data Rights* paragraphs of this article and of 37 CFR 401.14, if included in this Agreement by reference.

ATTACHMENT B-AWARD AND SPECIAL CONDITIONS



Department of Homeland Security, FEMA
Grant Programs Directorate

August 17, 2010

Washington, D.C. 20531

Mr. Joseph Wainscott
Indiana Department of Homeland Security
302 West Washington
Indianapolis, IN 46204-2243

Dear Mr. Wainscott:

I am pleased to inform you that the Grant Programs Directorate has approved the application for funding under the FY 2010 State Fire Training Systems Grant Program 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.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth M. Harman".

Elizabeth M. Harman
Assistant Administrator Grant Programs Directorate

Enclosures



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

Washington, D.C. 20531

August 17, 2010

Mr. Joseph Wainscott
Indiana Department of Homeland Security
302 West Washington
Indianapolis, IN 46204 - 2243

Reference Grant Number: 2010-RB-63-0039

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	\$22,400
Fringe Benefits	\$0
Travel	\$0
Equipment	\$0
Supplies	\$4,900
Construction	\$0
Contractual	\$0
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:	\$0

If you have questions regarding this award, please contact:

- Financial and Payment Questions, Financial Accountability and Oversight Division (FAO) at (866) 927-5646, or send an email to ask-OGO@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 5

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Indiana Department of Homeland Security 302 West Washington Indianapolis, IN 46204-2243		4. AWARD NUMBER: 2010-RB-63-0039	
		5. PROJECT PERIOD: FROM 09/15/2010 TO 09/14/2011 BUDGET PERIOD: FROM 09/15/2010 TO 09/14/2011	
1A. GRANTEE IRS/VENDOR NO. 356000158		6. AWARD DATE 08/17/2010	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT	\$ 0
3. PROJECT TITLE FY 2010 State Fire Training Systems Grant Program		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 Federal Fire Prevention and Control Act of 1974 (15 U.S.C. §2201 et seq.) and the Homeland Security Act of 2006 (6 U.S.C. §101 et seq.)			
15. METHOD OF PAYMENT SF-270			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING DHS OFFICIAL Elizabeth M. Harman Assistant Administrator Grant Programs 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 8/16/10
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. OFC. REG. SUB. POMS AMOUNT 6 3 RB 77 00 00 28000		21. E415882N32	

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 5

PROJECT NUMBER 2010-RB-63-0039

AWARD DATE 08/17/2010

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 2010 State Fire Training Systems Grant Program guidance and application kit.
4. The recipient shall submit the Federal Financial Report (FFR, SF-425) within 30 days of the end of the first Federal quarter following the initial grant award. The recipient shall submit quarterly FFRs thereafter until the grant ends. Reports are due on January 30, April 30, July 30, and October 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 FFR is due 90 days after the end date of the performance period.
5. In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.



Department of Homeland Security
FEMA
Grant Programs Directorate

**AWARD CONTINUATION
SHEET**
Grant

PAGE 3 OF 5

PROJECT NUMBER 2010-RB-63-0039

AWARD DATE 08/17/2010

SPECIAL CONDITIONS

6. A. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients employees may not:

- a. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- b. Procure a commercial sex act during the period of time that the award is in effect; or
- c. Use forced labor in the performance of the award or subawards under the award.

2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:

- a. Is determined to have violated a prohibition in paragraph A.1 of this award term; or
- b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), as implemented by our agency at 2 CFR Part 3000.

B. Provisions applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

1. Is determined to have violated an applicable prohibition in paragraph A.1 of this award term; or

2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph A.1 of this award term through conduct that is either:

- a. Associated with performance under this award; or
- b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), as implemented by our agency at 2 CFR part 3000.



Department of Homeland Security
FEMA
Grant Programs Directorate

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 5

PROJECT NUMBER 2010-RB-63-0039

AWARD DATE 08/17/2010

SPECIAL CONDITIONS

7. C. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.

2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:

- a. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
- b. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.

D. Definitions. For purposes of this award term:

1. Employee means either:

- a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
- b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2. Forced labor means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. Private entity means:

- a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
- b. Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.

4. Severe forms of trafficking in persons, commercial sex act, and coercion have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).



Department of Homeland Security
FEMA
Grant Programs Directorate

**AWARD CONTINUATION
SHEET**
Grant

PAGE 5 OF 5

PROJECT NUMBER 2010-RB-63-0039

AWARD DATE 08/17/2010

SPECIAL CONDITIONS

8. A. Classified national security information, as defined in Executive Order (EO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

B. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and has access to such information.

C. Where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subawardee, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed.

D. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS Standard Operating Procedures, Classified Contracting by States and Local Entities, dated July 7, 2008; EOs 12829, 12958, 12968, as amended; the National Industrial Security Program Operating Manual (NISPOM); and/or other applicable implementing directives or instructions. All security requirement documents are located at:
<http://www.dhs.gov/xopnbiz/grants/index.shtm>

E. Immediately upon determination by the award recipient that funding under this award will be used to support such a contract, subaward, or other agreement, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, or the applicable Federal department or agency, for approval and processing instructions.

DHS Office of Security ISPB contact information:

Telephone: 202-447-5346

Email: DD254AdministrativeSecurity@dhs.gov

Mail: Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, D.C. 20528



Department of Homeland Security, FEMA

Grant Programs Directorate

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Adria Martinez, Environmental Coordinator

Subject: Categorical Exclusion 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 modifications 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.



Department of Homeland Security
FEMA
Grant Programs Directorate

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

Grant

PROJECT NUMBER

2010-RB-63-0039

PAGE 1 OF 1

This project is supported under Federal Fire Prevention and Control Act of 1974 (15 U.S.C. §2201 et seq.) and the Homeland Security Act of 2006 (6 U.S.C. §101 et seq.)

1. STAFF CONTACT (Name & telephone number)

Diane Close
(301) 447-1376

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

Rachel Meyer
Grants Management Section Chief
302 West Washington
Indianapolis, IN 46204-2243
(317) 234-3321

3a. TITLE OF THE PROGRAM

FY 2010 State Fire Training Systems Grant Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

FY 2010 State Fire Training Systems Grant Program

5. NAME & ADDRESS OF GRANTEE

Indiana Department of Homeland Security
302 West Washington
Indianapolis, IN 46204-2243

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 09/15/2010 TO: 09/14/2011

8. BUDGET PERIOD

FROM: 09/15/2010 TO: 09/14/2011

9. AMOUNT OF AWARD

\$ 28,000

10. DATE OF AWARD

08/17/2010

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 C-Assurances

OMB Approval No.: 4040-0007

Expiration Date: 07/30/2010

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 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 (Clean Air) Implementation Plans under Section 176(c) of the Clean 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. §§1271 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, "Audits 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.

<p>* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p>Completed on submission to Grants.gov</p>	<p>* TITLE</p> <p>Executive Director</p>
<p>* APPLICANT ORGANIZATION</p> <p>Indiana Department of Homeland Security</p>	<p>* DATE SUBMITTED</p> <p>Completed on submission to Grants.gov</p>

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

ATTACHMENT D
MAKING PURCHASES USING FEDERAL GRANT FUNDS
Procurement and Contracting Requirements

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 brief summary of some of these federal requirements is as follows:

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

i. Small Purchase Procedure (44 CFR 13.36(d)(1))

- To purchase services and supplies of \$100,000 or less
 - Relatively simple and informal method
 - Cannot exceed simplified acquisition threshold of \$100,000
 - Must obtain price or rate quotation from adequate number of qualified sources (usually 3)
- Awarded based on lowest documented price quote

ii. Sealed Bids (Formal Advertising) (44 CFR 13.36(d)(2))

- For sealed bidding to be feasible, all of the following conditions should be present (generally used for construction and debris removal contracts):
 - A complete, adequate and realistic specification or description of project is available.
 - Two or more responsible bidders are willing and able to compete effectively.
 - Bids publicly solicited and advertised and a firm-fixed-price contract (lump sum or unit price) awarded
 - The procurement lends itself to a firm fixed price contract.
- If the sealed bid procurement method is used, the following requirements are applicable:
 - The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for opening the bids.
 - The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services in order for the bidder to properly respond.
 - All bids will be publicly opened at the time and place prescribed in the invitation for bids.
 - A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of
 - Any or all bids may be rejected if there is a sound documented reason
- Contract 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))

Generally used to purchase Architectural, engineering or professional and personal services when conditions are not appropriate for the use of sealed bids.

- Requests for proposals will be publicized and identify all evaluation factors and their relative importance.
- Any response to publicized requests for proposals shall be honored to the maximum extent practical.
- Proposals will be solicited from an adequate number of qualified sources.
- The Sub-grantee must have a method for conducting technical evaluations of the proposals received and for selecting awardees
- Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered
- The Sub-grantee may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

iv. **Noncompetitive (Sole Source) proposals (44 CFR 13.36(d)(4))**

The following conditions are applicable to all sole source or noncompetitive procurements:

- (1) **Competitive Procurement must be infeasible:** A noncompetitive procurement can only be used when the award of a contract is infeasible under small purchase order procedures, sealed bids or competitive proposals and one (1) of the following circumstances apply:
 - (A) The item is available only from a single source;
 - (B) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - (C) The awarding agency (IDHS) authorizes noncompetitive proposals; or
 - (D) After solicitation of a number of sources, competition is determined inadequate.
- (2) **Cost analysis required:** Cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profits, is required.
- (3) **Awarding agency review may be required:** A Sub-grantee is required to submit the proposed procurement to IDHS for pre-award review (in accordance with 44 CFR 13.36(g)).]

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 the Sub-grantee 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 and include - 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 prohibited
- 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—Contracts for more than \$100,000.
- Termination clause for cause and termination for convenience—Contracts for more than \$10,000.
- Compliance with Equal Employment Opportunity regulations—All construction contracts awarded in excess of \$10,000.
- Compliance with Anti-Kickback regulations—All contracts for construction or repair
- Compliance with Davis-Bacon Act –Construction contracts in excess of \$2,000
- Compliance with Contract Work Hours and Safety Standards Act—Construction contracts in excess of \$2,000, and in excess of \$2,500 for contracts which involve the employment of mechanics or laborers
- Notice of reporting requirements and regulations pertaining to reporting—All contracts
- Notice of requirements pertaining to patent rights—All contracts
- Notice of requirements pertaining to copyrights and rights in data—All contracts
- Access of any records by grantee, sub grantee, Federal grantor, Comptroller or any duly authorized representatives—All contracts
- Records must be retained for at least three years after final payments are made—All contracts
- Compliance with CAA, CWA, EPA regulations—Contracts in excess of \$100,000.
- Mandatory standards relating to energy efficiency—All contracts
- The Lobbying Certification—All contracts
- Federal Debarment and Suspension Requirements—All contracts
- Trafficking in Persons Requirements—All contracts