

GA-22-16

GRANT BRIEFING DOCUMENT

rev. 2/13/13

From:

Name: Katie Shultz Dept: Fire/OEM Phone: 410-216-9167

This is a request to

- review, approve, and/or sign a grant agreement/award
- other

Grant title: 2015 Urban Area Security Initiative (UASI) Grant Program

Grantor: U.S. Department of Homeland Security Amount: \$ 706,214.00

Attestation:

- Match is *not* required.
- Match is required. Match will be met in the form of ¹ _____

I attest that this asset has been approved/appropriated in ² _____



Department Director signature

OEM

Dept

9-28-15

Date

Routing	Initials	Date		Comments
		In	Out	
<input checked="" type="checkbox"/> originating Dept Director	<u>KJS</u>	<u>9-28-15</u>	<u>9-28-15</u>	
<input checked="" type="checkbox"/> Grants Coordinator	<u>(NJP)</u>	<u>10/2</u>	<u>10/5</u>	<u>initials mly*</u>
<input checked="" type="checkbox"/> Finance Director	<u>msk</u>	<u>10/5</u>	<u>10/5</u>	
<input checked="" type="checkbox"/> City Attorney				
<input checked="" type="checkbox"/> City Manager				
<input checked="" type="checkbox"/> Mayor				
<input checked="" type="checkbox"/> City Clerk				<u>* sign at tabs</u>
<input checked="" type="checkbox"/> Finance Committee				
<input checked="" type="checkbox"/> Finance Dept				

Return to Originating Department

GRANT Briefing Document, continued

Provide a short narrative. Include:

-program description	- purpose of funds	- due dates
-grant period	-amount of request or award	
-special features, e.g., environmental impact implications, notarization required		

Fiscal Year 2015 Urban Area Security Initiative allows for terrorism prevention-oriented planning, organization, training, exercise, and for the purchase of equipment. Additionally, this grant will allow for funding of activities which support the development and operation of the City of Annapolis.

The purpose of FY 2015 Urban Area Security Initiative is to provide for the enhancement of the ability of the City of Annapolis to prevent, deter, respond to, and recover from threats or incidents of terrorism.

This grant lasts two years, beginning September 1, 2015 and continues through June 30, 2017.

The award amount for this grant is \$706,214.00.

This document must be signed and returned to OEM no later than October 5, 2015.

¹ Examples: cash match, equipment loan, staff salaries, volunteer time, contribution from non-City agency.

² Examples: FY__ Operating Budget, a memorandum of understanding, City Council resolution/ordinance.



2015 Sub-Recipient Agreement
for
Annapolis Office of Emergency Preparedness

Date of Award

9/24/2015

1. Sub-Recipient Name and Address	2. Prepared by: <i>Moncrieffe-Kee, Janet</i>	3. MEMAGMS Award Number: 15-SR 8844-04
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Annapolis Office of Emergency Preparedness	4. Federal Grant Information	
	Federal Grant Title:	Urban Area Security Initiative Grant Program
	Federal Grant Award Number/CFDA Number:	EMW-2015-SS-00077/UASI / 97.067
	Federal Granting Agency:	U.S. Department of Homeland Security

5. Award Amount

Total Award Amount \$706,214.00	2015 Urban Area Security Initiative Performance Period: FROM Sep 1, 2015 – Jun 30, 2017
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6. Authority for Grant: This project is supported under
 Statutory Authority for Grant: The Homeland Security Act of 2002 as amended(Public Law 107-296), (6USC603)
 Appropriations Authority for Grant: The Department of Homeland Security Appropriations Act, 2015

7. Method of Payment: Primary method is reimbursement.

8. Debarment/Suspension Certification: The Sub-Recipient certifies that the subgrantee and its' contractors/vendors are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal department or agency and do not appear in the Excluded Parties List System at <http://www.epls.gov>.

9. Agency Approval

Approving SAA Russell Strickland , Executive Director Maryland Emergency Management Agency	Signature of SAA Official:
	Date:

10. Sub-Recipient Acceptance

I have read and understand the attached Agreement Articles.

Type name and title of Authorized Sub-Recipient official: Michael Pantelides, Mayor City of Annapolis	Signature of Sub-Recipient Official:
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11. Enter Federal Employer Identification Number (FEIN) and DUNS number:

52-6000764

12. Date Signed :

13. DUE DATE: 10/8/2015

Signed award must be returned to the SAA on or before the above due date.

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this _____ day of _____ 2015, before me, the subscriber a Notary Public in and for the State and County aforesaid, personally appeared Michael Pantelides, Mayor of the City of Annapolis, known to me or satisfactorily proven to me to be the persons whose signatures are written above, and he/she has signed in my presence and acknowledge that it is their free and voluntary act made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires:

AGREEMENT ARTICLES

2015 Homeland Security Grant Program

Grantor: Maryland Emergency Management Agency

Agreement Number: EMW-2015-SS-00077/ EMW-2015-SS-00077UASI

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Article I - Summary Description of Project

The purpose of the FY 2015 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 31 core capabilities essential to achieving the National Preparedness Goal (the Goal) of a secure and resilient Nation. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

Article II – Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article III - Authorized Program Expenditures

The Sub-grantee agrees that all allocations, use of funds, and other associated requirements under this grant will be in accordance with the Fiscal Year (FY) 2015 Homeland Security Grant program (HSGP) Notice of Funding Opportunity (NOFO). Specifically, sub-grantees and subsequent sub-recipients of awarded funds will closely review DHS requirements detailed within the NOFO Funding Guidelines. This guidance is posted within the Maryland Emergency Management Agency Grants Management System (MEMAGMS) Forms Menu.

1. **Law Enforcement Terrorism Prevention:** A minimum of 25% of awarded funds must be dedicated towards law enforcement terrorism prevention-oriented planning, training, exercise, and equipment activities.
2. **Personnel Cost Cap:** No more than 50% of awarded funds can be used for personnel and personnel-related activities. In general, the use of awarded funds to underwrite staff or contractor regular time or overtime/backfill is considered a personnel cost. Personnel costs included in Management and Administration costs count toward the 50%.
3. **Records Maintenance:** The sub-grantee shall retain all records relating to this grant for a period of three years after grant close-out.
4. **Matching Requirements:** There are no matching requirements with this grant.
5. **Non-Supplanting of Funds:** The sub-grantee must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Sub-grantees may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

Article IV - Maryland Coordination & Analysis Center (MCAC) Staff Support

If sub-grantees opt to and are approved to provide staffing for the MCAC; additional funding may be awarded.

1. In recognition of the Sub-grantee's assignment of staff member(s) for duty at the Maryland Coordination & Analysis Center (MCAC) or one of its regional offices, an incentive (@\$50,000 per position) may be awarded in addition to the initial award.
2. Supplemental funds must be used for the benefit of the law enforcement agency providing staff.
3. Award of these funds is premised upon continued assignment of personnel to the MCAC throughout CY 2016.
4. These funds cannot be applied against salary expenses, but may be used for any other departmental related expense authorized within grant guidance. (E.g., training, equipment, exercises)

Article V - DHS Specific Acknowledgements and Assurances

All recipients must acknowledge and agree-and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS and State access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS or the State.
2. Recipients must give DHS and the State access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to MEMA and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article VI - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. part 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article VIII - Copyright

All recipients must affix the applicable copyright notices of 17 USC §401 or 402 and an acknowledgement of U.S. Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the U.S. Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article IX - Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article X - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article XI - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. S 411Q2) for international air transportation of people and property to the extent that such service is available, in accordance with the international Air Transportation Fair Competitive Practices Act of 1974 and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article XII - Drug-Free Workplace Regulations

All recipients of financial assistance must comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article XIII - Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(9) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104). This is implemented in accordance with OMB interim Final Guidance, Federal Register, Volume 72, No.218, November 13, 2007. Full text of the award term is located at 2 CFR 5 125.15.

Article XIV – Hotel & Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 USC §2225(a), all sub-grantees must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds comply with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 USC §2225.

Article XV – Federal Debt Status

All sub-grantees are required to be non-delinquent in their payment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and SF 424B, item number 17 for additional information and guidance.

Article XVI – False Claims Act and Program Fraud Civil Remedies

All sub-grantees must comply with the requirements of 31 USC §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 USC §3801-3812 which details the administrative remedies for false claims and statements made.

Article XVII – Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 CFR Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

Article XVIII – Debarment and Suspension

All sub-grantees must comply with Executive orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article XIX – Best Practices for Collection and Use of Personally Identifiable Information (PII)

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy impact Assessments: Privacy Guidance and Privacy template respectively.

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf or

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf

Article XX - National Environmental Policy Act (NEPA) of 1969

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application. Failure of the Sub-grantee to meet federal, state, and local EHP requirements and obtain applicable permits may jeopardize federal funding. Sub-grantees may 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. Sub-grantees must comply with all conditions placed on the project as the result of 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 Sub-grantee must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Sub-grantee will 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.

Article XXI - USA Patriot Act of 2001

All recipients of financial assistance must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article XXII - Agreement Amendments/Post Award Changes

This Agreement may be amended only as the Sub-grantee and the awarding Agency mutually agree in writing. In the event MEMA determines that changes are necessary to the award document post award, including changes to period of performance or terms and conditions, sub-grantees will be notified of the change in writing. Once notification has been made, any subsequent request for funds will indicate sub-grantee acceptance of the changes to the award.

Article XXXIII - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from MEMA to make proper disposition of the equipment pursuant to 2 C.F.R. S 200.313.

Article XXXIV - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. implementing regulations for the Act are found at 6 C.F.R., Part 21 and 44 C.F.R. part 7.

Article XXXV - Incorporation by Reference of Notice of Funding Opportunity and DHS Standard Terms and Conditions

The Notice of Funding Opportunity and the DHS Standard Terms and Conditions for this program are hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in

accordance with the requirements contained in these publications and the DHS Agreement Articles contained herein.

http://www.fema.gov/media-library-data/1429291822887-7f203c9296fde6160b727475532c7796/FY2015HSGP_NOFO_v3.pdf

<http://www.dhs.gov/sites/default/files/publications/FY%2015%20Standard%20TC%20Version%205.1%202015-2-23.pdf>