

GA-44-18



City of Annapolis
Office of the Mayor
160 Duke of Gloucester Street
Annapolis, MD 21401-2517

Mayor@annapolis.gov • 410-263-7997 • Fax 410-216-9284 • TDD use MD Relay or 711 • www.annapolis.gov

Grant Briefing Document

From:

Name D/C Kevin Simmons Phone 410-216-9167

Department OEM/Fire

This grant is New Annual/Repeating

This is a request to:

Review, approve, and/or sign a grant agreement/award

Other _____

Grant title FY 2015 State Homeland Security Program

Grantor U.S. Department of Homeland Security Amount \$ 182,500.00

Attestation:

Match is *not* required.

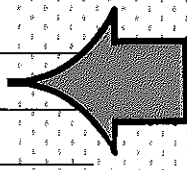
Match is required. Match will be met in the form of e.g. cash match, equipment loan, staff salaries, volunteer time, contribution from non-City agency. _____

Director's signature *D/C Kevin Simmons* Date 6-7-18

Department OEM/Fire

Routing

	Initials	Date In	Date Out	Comments
<input checked="" type="checkbox"/> Originating Dept Director	<i>KS</i>	6-7-18	6-7-18	
<input checked="" type="checkbox"/> Grants Coordinator	<i>NDP</i>		6/11/18	
<input checked="" type="checkbox"/> Finance Director	<i>NSL</i>		6/12/18	
<input checked="" type="checkbox"/> City Attorney				
<input checked="" type="checkbox"/> City Manager				
<input checked="" type="checkbox"/> Mayor				
<input checked="" type="checkbox"/> City Clerk				
<input checked="" type="checkbox"/> Finance Committee				
<input checked="" type="checkbox"/> Finance Dept				
<input type="checkbox"/> Return to Originating Department				



Grant period Extension to August 30, 2018 Amount of request or award \$182,500.00

Due dates 6/30/2018

Provide a short narrative, including program description, purpose of funds and special features, e.g., environmental impact implications, notarization required.

The FY 2015 State Homeland Security Grant Program provides funds to the City of Annapolis in order to better prevent, deter, respond to, and recover from environmental threats and incidents of terrorism. These grant funds are used to enhance the capabilities of responders and the Annapolis Emergency Operations Center (EOC). This funding is also used to maintain the emergency management radio talk group, facilitate the creation or update of plans, provide equipment, support outreach efforts, and cover costs related to Department of Homeland Security associated exercises, training, and conferences.

The attached Grant Adjustment Notice (GAN) extends the performance period to August 30, 2018. Two other Grant Adjustment Notices are included in this package for approval. The purpose of these GANs is for the Maryland Emergency Management Agency (MEMA) to provide additional funding totalling \$40,000.00 for the Maryland Incident Management Team Coordinator. The Coordinator is grant funded and contracted through Annapolis. There is no cost to the City. This document should be signed and returned to OEM no later than June 30, 2018.

* Time extension *



**2015 Sub-Recipient Agreement
for
Annapolis Office of Emergency Preparedness**

Date of Award
5/31/2018

1. Sub-Recipient Name and Address 2. Prepared by: *Moncrieffe, Janet* 3. MEMAGMS Award Number: 15-GA 8844-16

Annapolis Office of Emergency Preparedness	4. Federal Grant Information	
	Federal Grant Title:	State Homeland Security Grant Program
	Federal Grant Award Number/CFDA Number:	EMW-2015-SS-00077 / 97-067
	Federal Granting Agency:	U.S. Department of Homeland Security

5. Award Amount

Total Award Amount \$182,500.00	2015 State Homeland Security Program Performance Period: FROM Sep 1, 2015 – Aug 30, 2018
--	---

6. Statutory Authority for Grant: This project is supported under 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 Official: Russell Strickland, Executive Director Maryland Emergency Management Agency	Signature of SAA Official:
	Date:

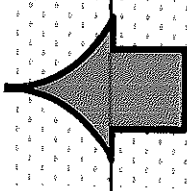
10. Sub-Recipient Acceptance

I have read and understand the attached Agreement Articles.

Type name and title of Authorized Sub-Recipient official: Mayor <i>Gravin Buckley</i>	Signature of Sub-Recipient Official:
--	--------------------------------------

11. Enter Federal Employer Identification Number (FEIN) and DUNS number: 526000764	12. Date Signed:
---	------------------

13. DUE DATE: **7/15/2016**
Signed award must be returned to the SAA on or before the above due date.



AGREEMENT ARTICLES

2015 Homeland Security Grant Program

Grantor: Maryland Emergency Management Agency

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

TABLE OF CONTENTS

Article I	Summary Description of Project
Article II	Acknowledgement of Federal Funding from DHS
Article III	Authorized Program Expenditures
Article IV	Maryland Coordination & Analysis Center (MCAC) Staff Support
Article V	DHS Specific Acknowledgements and Assurances
Article VI	Lobbying Prohibitions
Article VII	Acknowledgement of Federal Funding from DHS
Article VIII	Copyright
Article IX	Use of DHS Seal, Logo and Flags
Article X	Activities Conducted Abroad
Article XI	Fly America Act of 1974
Article XII	Drug-Free Workplace Regulations
Article XIII	Trafficking Victims Protection Act of 2000
Article XIV	Hotel & Motel Fire Safety Act of 1990
Article XV	Federal Debt Status
Article XVI	False Claims Act & Program Fraud Civil Remedies
Article XVII	Duplication of Benefits
Article XVIII	Debarment & Suspension
Article XIX	Best practices for Collection & Use of Personally Identifiable Information (PII)
Article XX	National Environmental Policy Act (NEPA) of 1969
Article XXI	USA Patriot Act of 2001
Article XXII	Agreement Amendments/Post Award Changes
Article XXXIII	Disposition of Equipment Acquired Under the Federal Award Title VI of the Civil Rights Act of 1964
Article XXXIV	Incorporation by reference of Notice of Funding Opportunity and DHS
Article XXXV	Standard Terms and Conditions

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/1429291822887-7f203c9296fde6160b727475532e7796/FY2015HSGP_NOFO_v3.pdf

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

-
-

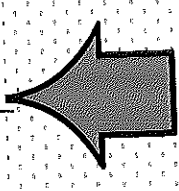
U

ATTEST:

CITY OF ANNAPOLIS

Regina C. Watkins-Eldridge, MMC,
City Clerk

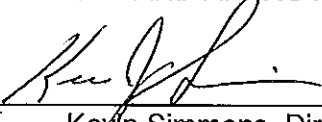
By: _____
Gavin Buckley, Mayor (Seal)



APPROVED FOR FINANCIAL SUFFICIENCY:

REVIEWED AND APPROVED BY:

Melissa Leaman, Acting Director
Finance Department


Kevin Simmons, Director
Office of Emergency Management

APPROVED FOR FORM AND LEGAL SUFFICIENCY:

OFFICE OF THE CITY ATTORNEY