

GA-37-18

GRANT BRIEFING DOCUMENT

rev. 2/13/13

From:

Name: JEANNE S. COUGHLIN

Dept: FIRE

Phone: 410-263-7975 X 6740

This is a request to

- ☐ review, approve, and/or sign a grant agreement/award
- ☒ other Approve grant acceptance of funding and have agreement signed.

Grant title: STATE HOMELAND SECURITY GRANT PROGRAM

Grantor: THROUGH MEMA AND MIEMSS

Amount: \$ 11,103.92

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

FIRE

Dept

04/27/18

Date

Routing

Initials

In

Date

Out

Comments

☒ originating Dept Director

4/26/18

4/27/18

☒ Grants Coordinator

NCP

5/8

☒ Finance Director

HOL

5/8

5/8

initials only

☒ City Attorney☒ City Manager☒ Mayor☒ City Clerk☒ Finance Committee☐ Finance Dept

Sign @ pink tab

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		

MIEMSS (Maryland Institute of Emergency Medical Services Systems and MEMA (Maryland Emergency Management Agency) through the Mass Casualty/Emergency Medical Services Grant Application Program funded through the State Homeland Security Grant Program is awarding the Annapolis Fire Department \$11,103.92 in funding.

This program is to enhance the EMS (Emergency Medical Services) readiness of our jurisdiction. The purpose is to build capabilities to protect against, prevent, respond to and recover from emergencies or disasters with a nexus to terrorism.

This was a very competitive grant award process and our request was prioritized at the regional and then at the state level before this award was announced.

We are requesting approval to accept the funds and have the agreement signed for this award in support of the Fire Department's Active Assailant Plan.

The funding, if accepted, will require that all activity on the grant including reimbursement be completed by April 1, 2019.

If approved we will be requesting to purchase fifteen (15) Ballistic Vests. These will allow our medical and rescue personnel who are assigned on suppression units that are properly trained and equipped to enter the scene of an active assailant incident which maximizes the survival of the victims.

SHS GP - 2017 - 04

Fed Grant #: EMW-SS-00008-S01

CFDA: 97.067

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.



GRANT BUDGET FORM

4/26/2018

Grant Title STATE HOMELAND SECURITY GRANT PROGRAM THROUGH MEMA AND MIEMSS

Grant Award (\$) 11,103.92

Originating Department(s): FIRE Department

Dept Contact (Name/Phone): Jeanne Coughlin 410-263-7975

Expenditure Account	Revenue Source				Total per Expend. Type	Comments
	Federal	State	Local (Matching)	Other		
Salaries					0.00	
Benefits					0.00	
Overtime					0.00	
Supplies	11,103.92				11,103.92	
Telephone					0.00	
Electricity					0.00	
Fuel and Oil					0.00	
Training & Education					0.00	
R & M - Equipment					0.00	
Special Programs					0.00	
Contract Services					0.00	
Capital Outlay					0.00	
other (fill-in)					0.00	
other (fill-in)					0.00	
other (fill-in)					0.00	
other (fill-in)					0.00	
other (fill-in)					0.00	
other (fill-in)					0.00	
Total	11,103.92	0.00	0.00	0.00	11,103.92	

TOTAL EXPENDITURES*: 11,103.92

* May be different from Grant Award \$ if there is a match requirement.

☒ Match is not required.

[Signature] 4/27/18

Department Director Signature/Date

FIRE

Department

☐ 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/Date

Department

COMMENTS:

(1) Examples (include dollar amounts if applicable): 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.



April 25, 2018

State of Maryland

Maryland
Institute for
Emergency Medical
Services Systems

653 West Pratt Street
Baltimore, Maryland
21201-1536

Larry Hogan
Governor

Donald L. DeVries, Jr., Esq.
Chairman
Emergency Medical
Services Board

410-706-5074
FAX: 410-706-4768

Captain Aaron Edwards
Annapolis Fire Department
1790 Forest Drive
Annapolis, MD 21401

State Homeland Security Grant Program
Emergency Medical Services Grant Sub-award \$11,103.92

Dear Captain Edwards:

The Maryland Institute for Emergency Medical Services Systems (MIEMSS), on behalf of the United States Department of Homeland Security (DHS) and the Maryland Emergency Management Agency (MEMA) is pleased to inform you that the proposed Emergency Medical Services (EMS) project for Annapolis Fire Department, has been selected for funding as a Subaward and included in the planned State Homeland Security Grant Program.

Funding in the amount shown above has been obligated to your project (also shown under Item 7 on the Project Agreement cover page). Attached is your Subaward Agreement. The Project Director as well as the Authorizing Official should sign the Agreement and return the signed document to MIEMSS. MIEMSS will execute the agreement and return to you along with a purchase order obligating the funds. Upon receipt of the Executed Agreement you may proceed with your project. *All project agreements need to be signed and returned to Sherry Alban by February 1, 2019. All projects must be completed and reimbursed no later than April 1, 2019. Reimbursement will be made with a letter submitted on the EMSOP's letterhead requesting reimbursement along with copies of paid invoices which support the project award. Please make certain to include proof of payment (canceled check or credit card statement). Submit the reimbursement request to Sherry Alban at 653 West Pratt St., Baltimore, MD 21201 or Salban@Miemss.org.*

The Subaward is subject to federal regulations and policies associated with awards from DHS. Some of the basic policies and requirements are described in "Exhibit C Agreement Articles" which is part of the Subaward agreement form. As provided in Exhibit C, there are additional regulations and policies which apply to use of the Subaward. These additional regulations can be found at <http://www.fema.gov/fy-2016-homeland-security-grant-program>. The individual in charge of managing this Subaward should become familiar with these materials in order to insure compliance.

Please note that if Annapolis Fire Department expends more than \$500,000 or more in federal awards in a single year, Annapolis Fire Department is required to have an audit in accordance with OMB Circular No. A-133, Audits of States, Local Governments, and

Non-Profit Organizations. A copy is of which is available online at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.

Another important item is the requirement that you institute and maintain required inventory records to ensure that equipment and other tangible non-expendable personal property purchased with funds from the Subaward is used in this project, similar future projects, and thereafter for SHSGP related purposes. Equipment must be inventoried and reported annually to MIEMSS.

Should you have any questions, or require further information, please contact Sherry Alban at 410-706-3145 or Salban@Miemss.org.

Very Truly Yours,

A handwritten signature in cursive script that reads "Patricia S. Gainer".

Patricia S. Gainer, JD, MPA
Acting Co-Executive Director
MIEMSS



MIEMSS

SUBAWARD AGREEMENT

Between MIEMSS and
Annapolis Fire Department
under the

State Homeland Security Grant Program

United States Department of Homeland Security
Federal Grant Number EMW-SS-00008-S01
CFDA 97.067
Through MEMA and MIEMSS

SHSGP-2017-04

The Maryland Institute for Emergency Medical Services Systems (MIEMSS) hereby awards a cost reimbursable subaward to Subrecipient as described herein. This agreement is effective on the date of MIEMSS approval shown in item 8 below. The undersigned agree that the Subrecipient (Item 2) will carry out the Project set forth in Exhibit A, within the Subaward Period (Item 6), in accordance with the Estimated Subaward Expenditures shown in Exhibit B, and in compliance with the Subaward Conditions stated in Exhibit C, for which reimbursement will be made for actual reimbursable expenditures, the amount of which is not to exceed the Amount of Funds Obligated (Item 7).

1. Subaward Title: Ballistic Vests for Suppression Personnel – Annapolis Fire Department

Subrecipient (include street address): 1790 Forest Drive, Annapolis, MD 21401

2. Fund Recipient (1790 Forest Drive, Annapolis, MD 21401): Same as above, FID # 52-6000764

4. Subaward Project Director:

Name: Aaron Edwards

Title: Captain

Phone No: 410-263-7978

E-mail Address: ems35@annapolis.gov

Signature

Date:

5. Authorizing Official:

Name: Cravin Buckley

Title: Mayor, City of Annapolis

Phone No: 410-263-7997

E-mail Address: mayor@annapolis.gov

Signature

Date:

This Section to be completed by MIEMSS Only

6. Subaward Period: Start _____ End: April 1, 2019

7. Amount of Funds Obligated from MIEMSS: \$11,103.92

8. MIEMSS Approval: _____ Date: _____

Project Title: Ballistic Vests for Suppression Personnel – Annapolis Fire Department

Applicant Information

Agency Name	Annapolis Fire Department
Address	1790 Forest Drive
City and Zip	Annapolis, MD 21401
Federal ID Number	52-6000764
Primary Project Manager/Contact	Captain Aaron S. Edwards
Email	Ems35@annapolis.gov
Desk Phone	410-263-7978
Cell Phone	
Secondary Project Manager/Contact	Battalion Chief Caroll H. Spriggs, II
Email	chspriggs@annapolis.gov
Desk Phone	410-263-7975
Cell Phone	
Financial/Admin Contact	Jeanne S. Coughlin
Email	jscoughlin@annapolis.gov
Desk Phone	410-263-7975
Cell Phone	

Funding Request

Type of Funds	Amount Requested
Planning	\$
Equipment	\$ 11,250.00
Training	\$
Exercise	\$
Total Project Request	\$ 11,250.00

Maryland SHSGP Priority

Please check any that apply:

☒ Active Assailant Preparedness
 Incident Management Team Development
 Ambulance Strike Team Development
 Information Sharing and Situational Awareness
☒ Mass Casualty Incident Preparedness
 Other:

DHS Core Capability

Please check any that apply. Detailed descriptions of the DHS Core Capabilities can be found at: www.fema.gov/core-capabilities.

☒ Planning
 Operational coordination
 Intelligence and Information Sharing
☒ Screening, Search, and Detection
 Cybersecurity

Public information and warning
 Forensics and attribution
 Interdiction and Disruption

Access control and identity verification
 Physical protective measures

	Risk management for Protection Prog.		Supply chain integrity and security
	Community resilience		Long-term vulnerability reduction
	Risk and disaster assessment		Critical transportation
	Environmental response		Fatality management
	Fire management and suppression		Infrastructure systems
	Logistics and supply chain management		Mass care services
X	Mass search and rescue operations		On-scene security, protection and law enforcement
	Operational communications	X	Public health, healthcare, and EMS
X	Situational assessment		Economic recovery
	Health and social services		Housing
	Natural and cultural resources		Threat and hazards identification

Needs Assessment

Please describe the current gap or need your project will address. Be as specific as possible, to include applicable needs assessment, literature references, and/or data.

The City of Annapolis must be prepared to respond to either Active Shooters (AS) and/or Mass Casualty Incidents (MCI). In addition to developing the necessary Law Enforcement (LE) response capabilities, we must build sufficient public safety resources and capabilities to quickly triage, treat and evacuate victims loaded within or near an AS/MCI area. Providing the fire and EMS teams with proper Ballistic Protective Equipment (BPE), requisite training and supplies is essential for the safety of first responders, who may be called on to support law enforcement teams. Although traditionally fire/rescue and EMS personnel who are not members of a tactical LE response team have not entered areas until an "all clear sign" was given by the Incident Commander (IC), expert analysis of recent AS/MCI incidents revealed the value of medical and rescue personnel who are properly trained and equipped to maximize victim survival. FEMA therefore encourages first responder agencies to develop this capability. We have received funding for other BPE and supplies to treat victims and now are requesting funding for additional personnel to have proper BPE to ensure the safety of our personnel.

In addition, as evidenced by news stories, more and more fire personnel are being shot at on the scenes of incidents. We are requesting funding to purchase more ballistic vests to protect our fire personnel on the scenes of such incidents.

We have already written Standard Operating Procedures for these types of incidents and they have been distributed to all personnel who have also had appropriate training. The Annapolis

Fire Department has had several exercises with surrounding jurisdictions to employ this training and ensure our personnel understand all of the procedures.

EXHIBIT A

Project Description

Please describe how your project will address the gap or needs cited above. Questions to consider include:

- Is the project regional or agency specific?
- If it is a multi-agency project, who will be the lead?
- Describe maintenance or sustainability for training or equipment projects.
- If training or exercising, how many persons will be trained/participate and to what level? How will that improve readiness for the mission area and core capability selected?
- Include any cost analysis information.

This request is for the Annapolis Fire Department. We are requesting the funding to purchase fifteen (15) ballistic vests which would be placed on each of our front line suppression units. Our personnel have already been trained in the proper use of BPE and the procedures that have been developed in the Annapolis Fire Department Standard Operating Procedures in our Operating Policy Manual.

These vests are a Level II which are more economical and appropriate for the personnel's duties who would be using them. We have purchased other vests for the Paramedics that have a higher rating as those personnel would be in the warm zone for treating victims. There is no maintenance needed except for preventative checks on the status of the vests which would be done as part of the station weekly checks.

Project Timeline and Milestones

Applications must include information that supports the benchmarks of the project deliverables. Information required in this section must include anticipated dates of project initiation, significant deliverables completed, timely draws of funds, and project closure. (Additional rows may be added as necessary.)

Task/Action	Date/Time Frame to Complete	Result of Action
Request Approval from Finance Committee and City Council to accept funds and sign agreement once awarded	3 - 4 weeks	Funding is available for Purchase
Purchase Requisition for BPE	4 - 6 weeks	Delivery of Supplies
Distribution of Vests	1 week	Items in field ready for use
Payment authorized	2 - 3 weeks	Check is sent to pay for vests
Reimbursement requested		

EXHIBIT B

Financial Information

For any proposed expenditures, please include vendor quotes, descriptions, and any additional information as an attachment to this application. Recipients must follow procurement guidelines set forth in 2CFR 200.230 as detailed here: <https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-sec200-320.pdf>

Equipment List

If the project does not require equipment, please leave this section blank.

Equipment Item	Authorized Equipment List Code	Quantity	Unit Cost	Total Cost
BPE Vests	030E-01-VSTO	15	\$750.00	\$11,250
Hardcore FE – overt Fire				
Emergency Carrier Slick (Red) with FMS Level II				
Front and Back Panel				
Equipment Subtotal				\$11,250.00

Training Expenses

If the project does not require training, please leave this section blank.

Class Title	Course Length	Student Capacity	Total Cost
Training Subtotal			

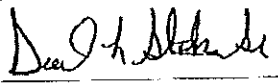
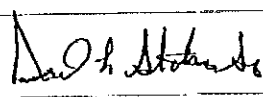
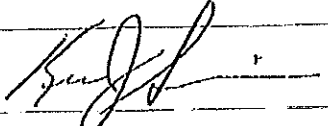
Exercise Expenses

If the project does not involve an exercise, please leave this section blank. Applicant must submit an HSEEP formatted After Action Report and Improvement Plan to MIEMSS upon completion of any exercise funded by this grant. More information can be found here: <https://www.fema.gov/media-library/assets/documents/32326>

Exercise Name	Date	Description	Total Cost
Training Subtotal			

Applicant Signatures

This application must be signed by an agency official, the EMSOP Highest Jurisdictional Official (HJO), and by the respective local Emergency Management official as identified by MEMA (see link below). In some cases, the Applicant and Jurisdictional official may be the same. Please contact your MIEMSS Regional Administrator if you need help identifying an appropriate HJO. In most cases this will be a County/City EMS Chief, Coordinator, or similar Jurisdictional Official.

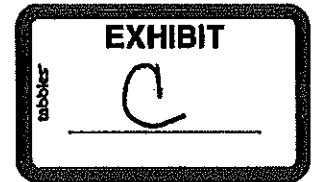
Authorized Signatory	Agency Applicant	EMSOP Highest Jurisdictional Official	Emergency Manager www.mema.maryland.gov/Pages/emmgrs.aspx
Name	Chief David L Stokes, Sr.	Chief David L Stokes, Sr	Deputy Chief Kevin J Simmons
Address	1790 Forest Drive Annapolis MD 21401	1790 Forest Drive Annapolis MD 21401	199 Taylor Ave, OEM Annapolis, MD 21401
Phone	410-263-7975	410-263-7975	410-216-9167
Email	afinfo@annapolis.gov	afinfo@annapolis.gov	kjsimmons@annapolis.gov
Federal ID			
Signature			

Articles of Agreement

Maryland Emergency Management Agency

Reisterstown, MD 21136

AGREEMENT ARTICLES



PROGRAM: Homeland Security Grant Program
EMW-2017-SS-00019-S01

GRANT NUMBER:

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Article I - Summary Description of Award

The purpose of the FY 2017 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 32 core capabilities essential to achieving the

National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. 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. These grant programs fund a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.

Article II - Buy American and Hire American

All sub-recipients are required to comply with any applicable provisions of the Buy American Act (41 U.S.C. Sections 8301 through 8305), and any other applicable statutes, regulations, or rules that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States.

Article III - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the 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. Section 200.313.

Article IV - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from MEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from MEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved.

Article V - Acceptance of Post Award Changes

In the event MEMA 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, sub-recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate sub-recipient's acceptance of the changes to the award. Please call MEMA at (410) 517-3622 or via e-mail to janet.moncrieffe-kee@maryland.gov if you have any questions.

Article VI - Procurement of Recovered Materials – Applies to MEMA only.

All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and

Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the

Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article VII - Whistleblower Protection Act

All sub-recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. Section 2409, U.S.C. Section 4712, 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.

Article VIII - Use of DHS Seal, Logo and Flags

All sub-recipients must obtain permission from MEMA, 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 IX - USA Patriot Act of 2001

All sub-recipients must comply with 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. sections 175-175c.

Article X - Universal Identifier and System of Award Management (SAM)

All sub-recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference in the terms and conditions.

Article XI - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the sub-recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XII - Rehabilitation Act of 1973

All sub-recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XIII - Trafficking Victims Protection Act of 2000

All sub-recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference in the award terms and conditions.

Article XIV - Terrorist Financing

All sub-recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Sub-recipients are legally responsible to ensure compliance with the Order and laws.

Article XV - SAFECOM

All sub-recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XVI - Reporting Sub-awards and Executive Compensation

All sub-recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Sub-awards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XVII - Debarment and Suspension

All sub-recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XVIII - Copyright

All sub-recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XIX - Civil Rights Act of 1964 - Title VI

All sub-recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d et seq.), 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. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article XX - Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All sub-recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Sub-recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

Article XXI - Americans with Disabilities Act of 1990

All sub-recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits sub-recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. sections 12101-12213).

Article XXII - Age Discrimination Act of 1975

All sub-recipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XXIII - Activities Conducted Abroad

All sub-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 XXIV - Acknowledgment of Federal Funding from DHS

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

Article XXV – DHS & MEMA Specific Acknowledgements and Assurances

All sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS & MEMA's access to records, accounts, documents, information, facilities, and staff.

1. Sub-recipients must cooperate with any compliance reviews or compliance investigations conducted by MEMA and/or DHS.
2. Sub-recipients must give DHS and/or MEMA access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award 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. Sub-recipients must submit timely, complete, and accurate reports to the appropriate MEMA officials and maintain appropriate backup documentation to support the reports.
4. Sub-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, sub-recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, sub-recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to MEMA, the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the sub-recipient, or sub-recipients settle a case or matter alleging such discrimination, sub-recipients must forward a copy of the complaint and findings to MEMA and the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

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

Article XXVI - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance sub-recipients must complete either the OMB Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the financial assistance office if you have any questions.

DHS financial assistance sub-recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article XXVII - Patents and Intellectual Property Rights

Unless otherwise provided by law, sub-recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq. All sub-recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXVIII - Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All sub-recipients must comply with any such requirements set forth in the program NOFO.

Article XXIX - Non-supplanting Requirement

All sub-recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXX - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All sub-recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXXI - National Environmental Policy Act

All sub-recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires sub-recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXXII - Lobbying Prohibitions

All sub-recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the sub-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 XXXIII - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All sub-recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that sub-recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXXIV - 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. section 2225a, all sub-recipients

must 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, as amended, 15 U.S.C. section 2225.

Article XXXV - Fly America Act of 1974

All sub-recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) 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 (49 U.S.C. section 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.

Article XXXVI - Federal Leadership on Reducing Text Messaging while Driving

All sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XXXVII - Federal Debt Status

All sub-recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article XXXVIII - False Claims Act and Program Fraud Civil Remedies

All sub-recipients must comply with the requirements of 31 U.S.C. section 3729 - 3733 which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. section 3801-3812 which details the administrative remedies for false claims and statements made.)

Article XXXIX - Energy Policy and Conservation Act

All sub-recipients must comply with the requirements of 42 U.S.C. section 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XL - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

All sub-recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XLI - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude sub-recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XLII - Drug-Free Workplace Regulations

All sub-recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. section 8101 et seq.), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the sub-recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the sub-recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).

Article XLIII - Civil Rights Act of 1968

All sub-recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits sub-recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. section 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. section 100.201).