

# State of Nevada



**DIVISION OF EMERGENCY MANAGEMENT  
OFFICE OF HOMELAND SECURITY**

## **GRANT MANAGEMENT GUIDE**

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## FOREWORD

This Grant Management Guide provides assistance to all subgrantees that are recipients of federal funds received by the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security (NDEM). This guide is intended to assist subgrantees in meeting the financial and program management requirements that are conditions of receiving federal grant funds provided by the federal government through the NDEM

Due to the complexity of managing multiple federal programs and their related programmatic requirements, it is the intent of this guide, where possible, to provide standardization of the requirements that are common to the management of grants regardless of the funding source or program objectives.

This is a living document and shall change as necessary. In future updates NDEM will add a module for every grant program to assist the sub-grantee with the management of individual programs. Until the modules are released please follow this document and the federal grant guidance as well as contact your NDEM grant manager.

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## DEFINITIONS and ACRONYMS

- Agreement in Principle (AIP)** – a federal grant program provided by the DOE to prepare for the off-site consequences to an on-site emergency.
- Assurances** – Conditions for sub grantee acceptance of, receipt of and expenditure of federal funds provided as a sub grant that include federal, financial and program assurances.
- Authorized Equipment List (AEL)** – a DHS published list of all equipment that is eligible to be purchased using federal grant programs provided by the DHS.
- Budget** – a document, typically a spreadsheet, that provides a detailed itemization of the intent for use of funds and may be summarized when acceptable.
- Buffer Zone Protection Program (BZPP)** – a federal grant program designed to increase the preparedness capabilities of jurisdictions responsible for the safety and security of communities surrounding high-priority pre-designated Tier 1 and Tier 2 critical infrastructure and key resource (CIKR) assets, including chemical facilities, financial institutions, nuclear and electric power plants, dams, stadiums, and other high-risk/high-consequence facilities, through allowable planning and equipment acquisition.
- Citizen Corps Program (CCP)** – to educate and train Americans of all abilities on all-hazards preparedness and to foster collaboration between non-governmental organizations, citizens, and emergency responders on community preparedness issues.
- Commingling of Funds** – the use of one source of dedicated federal funds to fund one or more other program(s) not related to the specific source of funds being utilized.
- Department of Energy (DOE)** – the federal agency that provides the state and political subdivisions with funding to prepare for an on-site incident and the potential for an incident resulting from the transportation of transuranic waste.
- Department of Homeland Security (DHS)** – the federal agency that provides preparedness grants in the areas of homeland security and emergency management.
- Department of Public Safety (DPS)** – an Executive Department in state government that provides services in support of protecting our citizens and visitors by promoting safer communities through prevention, preparedness, response, education and enforcement as well as supporting efforts of local governments and tribal nations.
- Division of Emergency Management (NDEM)** – a division within the Nevada Department of Public Safety. Please refer to Nevada Revised Statute Chapter 414 (Attachment A).
- Emergency Management Performance Grant (EMPG)** – to assist state and local governments in enhancing and sustaining all-hazards emergency management capabilities.
- Emergency Preparedness Working Group (EPWG)** – a grant program within the DOE AIP provided to six counties that may potentially be adversely affected by an event resulting from the transportation of transuranic waste.
- Emergency Operation Plan (EOP)** - set of guidelines to prepare state, local and tribal and the public to cope with natural or man-made disaster.

- Environmental Planning and Historic Preservation (EHP)** – integrates the protection and enhancement of environmental, historical, and cultural resources for all projects that are federally funded.
- Extension** – a request for and approval of an extension of the performance period of a grant and/or sub-grant.
- Federal Emergency Management Agency (FEMA)** – to support citizens and first responders to ensure that as a nation we work together to build, sustain and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.
- Finance Committee** – a committee created under the authority of the Nevada Commission on Homeland Security for the purpose of reviewing and evaluating the Investments proposed for the State’s Homeland Security Grant Program application to the DHS for each federal fiscal year cycle and making recommendations on same to the full Nevada Commission on Homeland Security.
- Governor’s Authorized Representative** - is designated in the Federal Emergency Management Agency (FEMA)/State Agreement after the President declares a major disaster under the provisions of the Stafford Act. The GAR provides executive oversight and direction of the disaster or emergency response and recovery on behalf of the Governor. The GAR executes all the necessary documents on behalf of the State.
- Governor’s Executive Order** – a written instrument generated by the Governor under the authority of Article 5, Section 1 of the Nevada Constitution for the purpose of providing additional direction to state agencies, boards, commissions, etc.
- Grant Award** – the formal document from the federal government providing awarding federal funds to a state agency; or a local government or tribal nation if directly funded from the federal government.
- Grant Match Requirement** – some federal grants require a percentage based monetary participation known as a “match requirement” which may be satisfied through a cash or “in-kind” contribution.
- Grantee** – for purposes of this document, the grantee is the state agency that is the recipient of a federal grant award, or in this case, the Department of Public Safety, Division of Emergency Management
- Hazard Mitigation Grant Program (HMGP)** – a post-disaster mitigation program designed to reduce the impacts of future disasters and is only received as an inclusion to a federally declared disaster.
- Homeland Security Grant Program (HSGP)** – a grant program provided by the U.S. Department of Homeland Security for the purposes of protecting the homeland by way of prevention of, preparedness for, response to and recovery from acts of terrorism. This program includes the State Homeland Security Program, Urban Area Security Initiative, Citizens Corps Program and the Metropolitan Medical Response System program.
- Homeland Security Working Group (HSWG)** – a body created formally by the Governor through the issuance of a Governor’s Executive Order on March 3, 2008 for the purpose of acting as an advisory body to the Nevada Commission on Homeland Security through its Finance Committee in the form of developing

- projects and investments for recommended inclusion in the State’s Homeland Security Grant Program for each fiscal cycle. Please refer to Attachment C.
- Individual Assistance (IA)** – a program included within federal disaster assistance to assist individuals with recovering from the affects of a disaster when the disaster qualifies for such assistance.
- Interoperability Emergency Communications Grant Program (IECGP)** – provides governance, planning, training and exercise funding to states, territories, and local and tribal governments to carry out initiatives to improve interoperable emergency communications, including communications in collective response to natural disasters, acts of terrorism, and other man-made disasters.
- Investment** – the compilation of one or more projects that are intended to establish, improve or enhance one or more target capabilities associated with the Homeland Security Grant Program.
- Investment Justification** – the compilation of 15 or less Investments for each of “statewide” and “urban area” that collectively summate the State’s Homeland Security Grant Program application during each federal fiscal year cycle.
- Law Enforcement Terrorism Prevention Activities (LETPA)** – as a result of the consolidation of the Law Enforcement Terrorism Prevention Preparedness (LETPP) into the State Homeland Security Program and the Urban Area Security Initiative, states are required to dedicate at least 25 percent of each funding source to these law enforcement related activities.
- Metropolitan Medical Response System (MMRS)** – supports the integration of emergency management, health, and medical systems into a coordinated response to mass casualty incidents caused by any hazard.
- Misappropriation of Funds** – the use of a source of federal funds for any reason not related specifically to the purpose of the particular federal program that the funds are affiliated with.
- Nevada Commission on Homeland Security (NCHS)** – Please refer to Nevada Revised Statutes Chapter 239C (Attachment B) and Governor’s Executive Order issued on November 26, 2008 (Attachment D).
- National Environmental Policy Act (NEPA)** – to ensure safe, healthful, productive, and esthetically and culturally pleasing surrounding for all federally funded projects.
- National Incident Management System (NIMS)** – a nationally unified approach to incident management; standard command and management structure; and emphasis on preparedness, mutual aid and resource management.
- Nevada Revised Statutes (NRS)** – laws of the State of Nevada.
- Non-Profit Security Grant Program (NSGP)** – provides funding support for target-hardening activities to non-profit organizations that are at high risk of a terrorist attack and are located within one of the specific Urban Area Security Initiative eligible urban areas.
- Obligation of Funds** – in order for funds to be considered obligated, funds must either be committed by way of purchase order, encumbered with a purchase requisition, or a contract for product or service that must have a completion date that does not exceed the stipulated performance period.
- Performance Period** – for purposes of this document, this term refers to the specified period of time that the NDEM has been allotted by the federal government to

obligate/expend federal grant funds that is typical to each grant cycle. The only programs that are an exception to this particular grant requirement are any of the federal disaster assistance programs (i.e., Public Assistance, Individual Assistance and Hazard Mitigation Grant Program).

**Pre-Disaster Mitigation (PDM) Program** – provides funds for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event.

**Project Change Request** – a document used to request a modification to a sub grantee’s existing budget and/or program.

**Public Assistance** – Provides assistance to public entities to alleviate suffering and hardship resulting from major disasters or emergencies declared by the President.

**Quarterly Financial Report (QFR)** – a mandatory financial report form that is used quarterly to report expenditures and request reimbursement of expended sub grantee federal funds. This report is also required to be filed if there have been no expenditures for the quarter.

**Quarterly Progress Report (QPR)** – a mandatory progress report form this is used to report the progress of the project(s) that have been funded through a sub grant. This report is also required to be filed if there has been no activity.

**State Administrative Agency (SAA)** – the State’s designated single point of contact with the U.S. Department of Homeland Security for all matters relating to the administration of the Homeland Security Grant Program.

**State Homeland Security Program (SHSP)** – provides funds to build capabilities at the state and local levels and to implement the goals and objectives included in state homeland security strategies and initiatives in the State Preparedness Report.

**Sub grant Award** – an award of federal funds from the State to a fellow state agency, political subdivision or tribal nation.

**Sub grant Performance Period** – a period of time that is designated by the awarding agency for the sub grantee to expend the awarded funds and complete associated program goals and objectives.

**Sub grantee** – a recipient of federal funds from a state agency.

**Sub-Sub grantee** – a recipient of federal funds from a sub grantee.

**Supplanting** – utilization of federal grant funds to replace funding appropriated by the State or local government for the same or similar purpose.

**Urban Area Administrator (UAA)** – Urban Area point of contact.

**Urban Area Security Initiative (UASI)** – provides funds to enhance regional preparedness in major metropolitan areas.



## INTRODUCTION

Under the authority of Nevada Revised Statute Chapter 414, the Department of Public Safety, Division of Emergency Management (NDEM) coordinates the efforts of the State and its political subdivisions together in partnership with private and volunteer organizations, and tribal nations, in reducing the impact of disasters by developing, planning, implementing and maintaining programs for mitigation, preparedness, response and recovery.

The NDEM is responsible for the administrative, financial and programmatic management of numerous federal grant programs. The federal agencies providing funding include: the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA); and the U.S. Department of Energy (DOE) and include the following programs:

- 1) Homeland Security Grant Program (HSGP)
  - a. State Homeland Security Program (SHSP)
  - b. Urban Area Security Initiative (UASI)
  - c. Citizen Corps Program (CCP)
  - d. Metropolitan Medical Response System (MMRS)
- 2) Interoperable Emergency Communications Grant Program (IECGP)
- 3) Buffer Zone Protection Program (BZPP)
- 4) Emergency Management Performance Grant (EMPG)
- 5) Federal Disaster Assistance
  - a. Public Assistance (PA)
  - b. Individual Assistance (IA)
  - c. Hazard Mitigation Grant Program (HMGP)
- 6) Pre-Disaster Mitigation (PDM)
- 7) DOE Agreement in Principle (AIP)
- 8) Emergency Preparedness Working Group (EPWG)

The process for each HSGP federal fiscal year funding cycle is currently as follows:

- 1) Jurisdictional representatives attend the HSWG and submit proposals to the HSWG, the HSWH is comprised of subject matter experts in their specific fields. The proposals are peer reviewed in a public forum. The proposals are vetted and the HSWG votes to recommend proposals which they support to be included in the Investment Justification application process. ***Note: These projects/investments must also comply with federal guidance requirements and priorities as established by the NCHS.***
- 2) The HSWG forwards recommended proposals and budgets to the NCHS Finance Committee for their review and approval for recommendation to the full NCHS.
- 3) The project leads are assigned the proposals to draft into Investment Justifications and these documents are forwarded to the NCHS for review.
- 4) The NCHS provides final recommendation to the SAA of the investments that will be included in the State's final application to the DHS.

The NDEM is the SAA and has a specific role to carry out the financial and programmatic management of the HSGP and other preparedness programs. Preparedness programs are complex and require significant coordination and collaboration for effective grant management. NDEM's main goal is to ensure appropriate accountability for the integrity of the public funds. NDEM reserves the right to deny any reimbursement or terminate any grant award as the Division is the fiduciary agency responsible for the management and administration of preparedness grant programs.

This document is intended to provide appropriate policies and procedures for the receipt and expenditure of these funds and ensure that the proper documentation is maintained by grantee, sub-grantee, sub-sub grantee etc.

# **Managing Federal Funds with NDEM as the SAA and the GAR**

## **GRANT REPORTING/REQUESTING REIMBURSEMENT**

### ***QUARTERLY FINANCIAL REPORT (QFR)***

Quarterly financial reporting is required for all NDEM grants following the end of each quarter, whether or not funds have been expended. All sub-grantees must use the approved forms. This report consist of sub-grantee name, address, reporting period, grant title, grant number, preparer of report, total expenses previously reported, expenses this period, total expenses to date, award amount, and balance of federal funds. The form also consists of the budget summary, which summarizes the approved budget categories, approved budget amounts, previously reported budget amounts, current expenses broken out by budget categories and total reported. The total “funds requested line” requests the final or total amount requested for reimbursement. The signature at the bottom signifies that person signing the report certifies that all expenses are correct and the invoices are attached to the quarterly financial report (QFR). The QFR acts as an invoice from the sub-grantee to the grantor (NDEM). This document may be rejected by the grantor at the discretion of the program office/grant & project analyst if there are errors and/or omissions.

### ***Additional Quarterly Financial Report Requirements***

A separate QFR for each project and funding stream.

If expenses total zero for the quarter, a QFR is still required.

Funds awarded will only be expended on items on the approved budget.

A spreadsheet that summarizes all expenditures by approved budget category (which is referred to as a grant declining budget spreadsheet)

The approved budget must remain in its original form throughout the entire grant performance period. Any approved change request must be notated in an additional change request column on the budget portion of the form. This is referred to as a debit/credit budget.

All reporting documents are provided by the NDEM

***Note: Document templates created by sub grantees will not be accepted in the grant financial or progress reporting process.***

### ***Quarterly Financial Reporting Periods***

Quarter #1 - October – December  
Report due February 15<sup>th</sup>

Quarter #2 – January – March  
Report due May 15<sup>th</sup>

Quarter #3 - April – June  
Report due August 15<sup>th</sup>

Quarter #4 – July – September  
Report due November 15<sup>th</sup>

Final Report – Report due 45 days following the end of the performance period of the sub-grant unless the sub-grantee has an extension and then all reports are due within 15 days.

Sub-grantees may request to report monthly or off-quarter due to extenuating circumstances. Once the sub-grantee elects to report off-quarter, reports must be received in that manner for the life of the grant. Please put this request in writing to the appropriate grant manager.

### ***Invoice Reporting***

Proper reporting consists of an itemized spreadsheet with a breakdown of expenditures by category. Documentation shall include, invoices with proof of payment (i.e. payment voucher numbers with signature authority and/or copies of payments through the jurisdictions financial accounting system). All backup documentation should have a clear description of what the funds were used for (i.e., personnel, travel claims, operating expense invoices, items purchased, contractual expenses with full detail of services provided, etc.). All invoices with multiple sources of backup documentation should be clipped (not stapled) together to ensure that the final financial reconciliation is clear and any duplicate information is not provided. If duplication is included, the report may be rejected by the program analyst assigned to the specific grant. All equipment invoices must have the “approved equipment list” (AEL) number written on each invoice. It is imperative to review all invoices fiscally as well as programmatically to ensure all purchases made are within the approved budget and specific grant guidance.

### ***Internal Cost Reporting***

Any internal costs associated with a grant must be completely supported and justified in the backup documentation. For example: A printout of an internal cost of \$25,000.00 for Information Technology must be explained (i.e. computer support for 10 employees at a cost of \$833.33 per month for each employee, computer facility charges include XXXXX). Additionally, a list of employees is required for backup documentation. Each employee must be complete work in support of the specific grant which is being charged. If this internal cost is a continuous expense, one explanation will be required per funding stream and project. If the internal costs change (i.e. less employees, less or more facilities charges due to new processes), the continuous expense explanation is required to be updated for grant files.

### ***Reporting Outside a Quarter***

All invoices shall be reported in the correct quarter. Invoices paid in a quarter shall be reported in the same quarter in which they were paid. If an expense is not reported in a quarter in which it was paid and the sub-grantee would like reimbursement, a supplemental QFR is required to request reimbursement. The supplemental report is completed on the same QFR form with a notation on the report number “supplemental report” to the corresponding report number that the expenditure should have been reported. The most current figures under the quarterly financial report “status of funds” section should be used to complete the supplemental quarterly financial report. Reports submitted to NDEM that do not follow this process will be rejected.

### ***Grounds for Rejecting a QFR***

The following includes, but is not limited to, causes that may result in the NDEM rejecting a QFR:

1. Incomplete QFR
2. Lack of supporting documentation
3. Funds expended are not in approved budget
4. Funds expended exceed budget category total
5. Training certificate(s) is not included
6. Quarterly Progress Report (QPR) has not been received
7. After Action Report for an exercise is not included (when applicable)

The NDEM will make **two** attempts to gather the missing information necessary to process the quarterly financial report. The NDEM will provide the sub grantee three (3) business days for each attempt to collect the information. In the event that the documentation cannot be obtained, the NDEM will reject the claim with a letter stating what the report lacks. The report will be returned in regular mail. The NDEM will keep a copy of the QFR and the rejection letter; but will not keep a copy of the complete report. Therefore, the sub-grantee must resubmit the complete package to the NDEM. This will eliminate the possibility of confusion with the report and back-up documentation when resubmitted. The sub-grantee should always make a copy of the QFR before submitting the documents for payment. As a second form of notification, the

NDEM will send a copy of the QFR and Rejection Letter via email/PDF to the sub-grantee to notify them of the rejection. All documentation of correspondence will be kept in the sub-grantee's file. Any questions regarding the grant and/or rejection must include the grant year, grant number, grant funding stream (CFDA and/or Job number) and grant project name.

### ***Payroll Reporting***

All expenditures related to payroll must be summarized on a separate spreadsheet. Payroll backup documentation should include internal financial payroll downloads with the employees name, salary, overtime, fringe benefits and hours. Please include a description of the deductions if the financial download includes acronyms. Each payroll reimbursement request must include what type of grant business each employee completed i.e. elevated threat level, training and exercise. If the sub grantee does not have an automated system, timesheets must be submitted with notations of the work completed along with proof of payment. Salary certification is required on all grants.

### ***Management and Administration (M&A) Funds for Sub-Grantees:***

M&A must only be used in the management and administration of the specific grant that the sub-grantee is collecting M&A. M&A may not be used for programmatic expenditures. Examples of M&A eligible expenditures (each grant may differ): office supplies, equipment/furniture for grant manager and staff, fiscal managers and staff, rent allocations specific to staff, recurring costs for staff that directly manage the grant.

### ***Travel Reporting***

It is the responsibility of all sub-grantees to know and adhere to the Nevada Revised Statue (NRS) and the United States General Services Administration (GSA) and their own established policies whichever is more restrictive regarding travel and per diem rates. The submission of travel must include the following terms.

Travel claim signed by the traveler with all receipts such as, hotel, parking, shuttle, taxi, rental car to include additional fuel cost, conference fee invoice, flight invoice, internet search map for mileage reimbursement, formal or informal agenda from the inviting agency, training certificates, sign-in sheets and any documentation provided by the hosting entity.

Under no circumstances may an agenda be drafted by the traveler. Agendas must be drafted by the inviting entity and appear on letterhead with contact information.

Travel will not be reimbursed if the request exceeds the GSA rate found on [www.gsa.gov](http://www.gsa.gov). NDEM will reimburse the maximum lodging rates with a receipt and the prorated taxes on that amount only. If the hotel is the hosting hotel and the fees are higher than GSA, please contact the SAA for written approval.

Rental cars will only be considered if necessary with documented justification. For

example the venue is located offsite and the expense is greater for taxi, shuttle etc., a rental car may be allowable. Rental cars are to be used solely for business travel. The mileage on the rental car will be reviewed for consistency with the justification after the traveler returns. If excess mileage is on the rental car the traveler will be requested to prorate the rental car.

Travel must be accomplished by the least expensive mode practicable; NDEM may request additional information if not provided at the time of submission for reimbursement.

Meals provide by conference fees or other means such as invitational travel must deduct meals provided from the per diem rate.

The traveler will only be allowed 75% of the per diem for the first and last day of travel unless the sub grantee submits a more practical and approved process before the travel occurs.

Travelers must travel at a minimum of a 50 mile radius outside of their duty station or their home/departure whichever is closer to their destination to be reimbursed for per diem and lodging. However, if travelers request per diem, a cost analysis will be completed to ensure the travel used the least expensive mode practicable. Travelers may request mileage and parking if they are within the 50 mile radius of their duty station.

Cancelation fees will not be reimbursed unless a justification is submitted to NDEM for review and approval.

Tips are not reimbursable; any tips will fall under “incidentals” which are included in the daily per diem.

Sub-Grantees must be sensitive to sending multiple travelers to the same location. In general, two (2) travelers to the same location is “reasonable”, any more that two (2) travelers must be justified. The justification may be as simple as the conference has too many tracks for two people to attend or a face-to-face meeting is important to the success of the project. All travelers are expected to collaborate with their project partners upon their return of a grant funded travel.

Sub-grantees must be aware that all documentation provided to the SAA and GAR is public record. If the sub-grantee sends travelers to a known vacation destination, the sub-grantee must provide a justification to the SAA and if they choose not to, the sub-grantee may be responsible for the cost of the travel. It is important to be aware of the perception of personal travel before and after a known vacation destination.

Travel as well as all grant expenditures must adhere to the following:

**Reasonable** - A prudent person would have purchased this item and paid this price. A cost may be considered reasonable if the nature of the goods or services, and the price

paid for the goods or services, reflects the action that a prudent person would have taken given the prevailing circumstances at the time the decision to incur the cost was made.

**Allocable** - Expenses can be allocated to the federal grant or contract activity based on, cost principles, benefit derived, cause and effect, or other equitable relationship.

**Consistently Treated** - Like expenses must be treated the same in like circumstances, regardless of funding source i.e. grant funds or agency funds.

**Allowable** - Permitted as a direct cost under the terms of a specific grant or contract.

NDEM reserves the right to deny any reimbursement as we are the fiduciary agency responsible for the management and administration of the federal grant funds.

***Foreign Travel (not applicable for PDM or disaster grants)***

Foreign travel costs are only allowable when the travel has prior approval from the SAA and the federal granting entity (i.e. Department of Homeland Security, Federal Emergency Management Agency or Department of Energy). All requests will be submitted 45 days in advance of the travel date to allow the SAA allowing for adequate time to seek appropriate federal approval. Foreign travel is defined as any travel outside Canada, United States and its territories and possessions.

The information required in the justification for foreign travel shall include: Destination, traveler information, cost, complete justification, what capability will be obtained, how the capability will be shared with their jurisdiction, complete agenda and invitation.

Sub-grantees must comply with the provisions of the Fly America Act (49 USC § 40118). The Fly America Act requires travelers performing U.S. Government-financed foreign air travel to use U.S. flag air carriers to the extent that such service is available. Foreign air carriers may be used only in specific instances, such as when a U.S. flag air carrier is unavailable, or use of a U.S. flag air carrier service will not accomplish the mission. If a foreign air carrier is used for any part of foreign travel, the recipient must maintain supporting documentation in the grant files available and specifically identified for review during an audit.

***QUARTERLY PROGRAMMATIC SUMMARY (QPS)***

Quarterly Progress Reports (QPR) are due to the NDEM with and at the same time as the QFR. The program report is essential to summarize percentage of project completion, funds expended by task, identification of any major problems, accomplishments, scheduled completion, and sustainment. The progress reporting forms will be provided by the NDEM each grant year and must be maintained throughout the grant performance period (please see Attachment F for a sample copy of the QPR). The NDEM will not process reimbursement requests (QFR's) without the QPR.



## ***OBLIGATING GRANT FUNDING***

Grant funds may not be obligated until the first day of the grant period. Grant funds must be obligated before the last day of the grant period. Obligated funds are funds that have been ordered, but not received or paid. Request for reimbursement must be received no later than 30 days after end of the grant period. If an extension has been received on the grant funds all reports must be received by 15 days after the close of the grant.

## ***GRANT EXTENSIONS***

Grants extension requests will be reviewed on an individual basis and determined by the grant or disaster program manager. Please submit all extension requests in writing on the approved form and include the time necessary to complete your project along with the justification for the extension. The authority to expend funds on a grant award will only be approved within the performance period of the grant document. If a sub-grantee does not request an extension of funds in advance and funds are expended, this may result in non-reimbursable expenditures. If an extension has been received on the grant funds all reports must be received by 15 days after the close of the grant.

## ***PROJECT CHANGE REQUESTS***

A Project Change Request form is to be used when a sub-grantee has a justified need to modify a project. Project Change Requests may be used to adjust authority from one budget line item to another. Each request for change must have a net-zero effect thereby not increasing the total budget amount. Project Change Requests must be submitted on the approved NDEM form and include an updated debit/credit grant declining balance budget and a written justification for the requested change. The updated budget must remain in original approved format with the Net Change column reflecting the increase and decrease to each line item change.

The Project Change Request must be within the initial intent/scope of the grant. If the change request includes a change of intent/scope or if the change request is over \$100,000, the change request is required to be reviewed by the Finance Committee of the Nevada Commission on Homeland Security with final approval by the Nevada Commission on Homeland Security and may require approval of the federal agency. If federal approval is required, this will be completed in advance (if timing permits) of the SAA's submission of the Project Change Request to the Finance Committee. Increased grant authority will not, under any circumstances, be authorized on a Project Change Request. Please submit your project changes to [DHSgrants@dps.state.nv.us](mailto:DHSgrants@dps.state.nv.us)

All Project Change Requests must be pre-approved before funds may be obligated or expended. Any Project Change Requests that are submitted after the

expenditure/purchase has been made resulting in the over-expenditure of the sub grantee's budget line item and/or budget category will be denied.

Please refer to the Reobligation Guidelines approved on August 17, 2011 by the Nevada Homeland Security Commission. A copy is posted on the NDEM website.

All Project Change Requests that fall under the HSGP are subject to the Reobligation Guidelines.

### ***Project Plans***

#### Project Plan Purpose

The purpose of the project plan is to specify and document how, how much, where, what, when and by whom an action/task will occur and subsequent grant funds will be spent to accomplish the project objectives and outcome.

The project plan is not a justification request or funding proposal. It is a roadmap that starts from the point of authorization and funding that identifies the route to successful project completion. It is the assembly instructions relating to all the parts of a particular project.

#### Requirement

Development of a project plan is required by the State Administrative Agent (SAA) and the Urban Area Administrator (UAA) of each sub-grant award recipient. The requirement is specified as part of the Assurances.

A project plan is required for each funding year. Common elements from prior years may be applicable, if any exist, as may be elements from an investment justification.

The development of a project plan is required for reasons of organization and accountability, as well as good project management practice. The project plan format is not intended to be rigid and inflexible. The information may be modified as necessary to add additional details or address unique aspects of a project. The basic elements of the project plan must be addressed to develop a complete plan.

### ***TRAINING AND EXERCISE REPORTING***

States, territories, and Urban Areas may use HSGP funds to develop a homeland security training program. Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP and UASI programs and/or in conjunction with emergency preparedness training by other Federal agencies (e.g., HHS, Department of Transportation).

Training conducted using federal funding through NDEM funds should address a performance gap identified through an After Action Report/Improvement Plan (AAR/IP) or contribute to building a capability that will be evaluated through an exercise. Exercises

should be used to provide the opportunity to demonstrate and validate skills learned in training, as well as to identify training gaps. Any training or training gaps, including those for children and individuals with disabilities or access and functional needs, should be identified in the AAR/IP and addressed in the State or Urban Area training cycle.

All training and exercises conducted with federal funding through NDEM funds should support the development and testing of the jurisdiction's Emergency Operation Plan (EOP) or specific annexes, and validation of completed corrective actions from previous exercises or real world events, where applicable.

### ***Exercise Tool Kits***

Any training or exercise conducted with federal grant funds through NDEM requires submission of the After Action Report (AAR), Improvement Plan (IP) and/or Emergency Operation Plan (EOP).

Exercise Evaluation and Improvement. Exercises implemented with grant funds should evaluate performance of the capabilities required to respond to the exercise scenario. Guidance related to exercise evaluation and the implementation of improvements is defined in the Homeland Security Exercise and Evaluation Program (HSEEP) located at <https://hseep.dhs.gov>

All exercises using federal funding through NDEM funding must be NIMS compliant. More information is available online at the National Integration Center at <http://www.fema.gov/emergency/nims/index.shtm>

### ***Training***

All States and Urban Areas are required to conduct a Training and Exercise Planning Workshop (TEPW) and develop a Multi-Year Training and Exercise Plan (TEP) on an annual basis. Such plans should take into consideration anticipated training and exercise needs of the respective jurisdiction for at least the immediate year, with exercises being targeted to provide responders the opportunity to utilize training received. Such plan should also include a training and exercise schedule. The State and Urban Areas priorities should focus the allocation of exercise resources.

This Plan is to be submitted to the NDEM Exercise Officer. The State Exercise Officer shall submit a copy of the Plan to [hseep@dhs.gov](mailto:hseep@dhs.gov). All scheduled training and exercises included in the Plan should be entered in the HSEEP National Exercise Schedule (NEXS) System, located in the HSEEP Toolkit on the HSEEP website.

A TEPW user guide and a template of the Multi-Year Training and Exercise Plan can be found on the HSEEP website at <https://hseep.dhs.gov>. The State and Urban Area are also encouraged to participate in their respective FEMA Regional Training and Exercise Workshop (conducted annually) and coordinate/integrate State and Urban Area exercise

initiatives accordingly. Where applicable, the Training and Exercise Plans should include training and exercises that support specialized programs, such as the Regional Catastrophic Preparedness Grant Program.

### **National Incident Management System (NIMS) Implementation**

In accordance with Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the adoption of NIMS is a requirement to receive Federal preparedness assistance, through grants, contracts, and other activities.

Prior to allocation of any Federal preparedness awards in FY 2012, grantees must ensure compliance and/or alignment with FY 2011 NIMS implementation plan. The list of objectives against which progress and achievement are assessed and reported can be found at

<http://www.fema.gov/emergency/nims/ImplementationGuidanceStakeholders.shtm#item2>.

The primary grantee/administrator of FY 2012 federal funding through NDEM award funds is responsible for determining if sub-awardees have demonstrated sufficient progress in NIMS implementation to disburse awards.

FEMA has developed the *NIMS Guideline for Credentialing of Personnel* to describe national credentialing standards and to provide written guidance regarding the use of those standards. This guideline describes credentialing and typing processes and identifies tools which Federal Emergency Response Officials (FERO) and emergency managers at all levels of government may use both routinely and to facilitate multijurisdictional coordinated responses.

Although State, local, tribal, and private sector partners—including nongovernmental organizations—are not required to credential their personnel in accordance with these guidelines, FEMA strongly encourages them to do so in order to leverage the Federal investment in the Federal Information Processing Standards (FIPS) 201 infrastructure and to facilitate interoperability for personnel deployed outside their home jurisdiction.

Additional information can be found at

[http://www.fema.gov/pdf/emergency/nims/nims\\_alert\\_cred\\_guideline.pdf](http://www.fema.gov/pdf/emergency/nims/nims_alert_cred_guideline.pdf).

Grantees must update their EOPs at least once every two years. An evaluation matrix to describe progress towards complying with CPG 101 v.2 is published at

<http://www.fema.gov/prepared/plan.html>.

Grantees proposing use of grant funding for geospatial information and technology should review the latest version of the DHS Geospatial Guidance that serves as a supplemental resource available at

## GRANT MATCH

### *GRANT MATCH REQUIREMENTS*

#### **Requirements for Matching or Cost Sharing**

Funds provided for a match must be used to support a federally funded project and must be in addition to, and therefore supplement, funds that would otherwise be made available for the stated program purpose. Match is restricted to the same use of funds as allowed for the federal funds. Matching contributions need not be applied at the exact time or in proportion to the obligation of the federal funds unless stipulated by legislation. The full matching share must be obligated by the end of the period for which the federal funds have been made available for obligation under an approved program or project. Sources of the match can either be a **cash match** or an **in-kind** match unless specified in the program guidance, regulation or statute.

#### Cash Match

Cash match includes cash spent for project-related costs. Allowable cash match must include those costs that are allowable with federal funds with the exception of the acquisition of land, when applicable. Cash match may be applied from the following sources:

1. Funds from states and local units of government that have a binding commitment of matching funds for programs or projects, or
2. Program income and the related interest earned on that program income generated from projects, provided they are identified and approved prior to making an award, or
3. Funds earned from seized assets and forfeitures (adjudicated by a State court, as State law permits), or
4. Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions on Tribal lands, or
5. Sources otherwise authorized by law.

Except as noted above, Federal funds may not be used for match purposes.

#### In-kind Match

In-kind match includes, but is not limited to, the valuation of in-kind services. “In-kind” is the value of something received or provided that does not have a cost associated with

it. For example, if in-kind match is permitted by law, then the value of donated services could be used to comply with the match requirement.

### **General Recordkeeping**

Sub-grantees must maintain records that clearly support the source, the amount, and the timing of all matching contributions. In addition, if a program or project has included within its approved budget contributions that exceed the required matching portion, the recipient must maintain records of them in the same manner as it does the awarding agency funds and required matching shares. The direct grantee has primary responsibility for sub grantee compliance with requirements.

Cash and In-kind match must be clearly stated with backup documentation, which includes the detailed source of funding as well as a spreadsheet tracking the match for each specific grant. All matching documentation shall be submitted to the NDEM upon the acceptance of a matching grant. In most cases, the SAA and GAR will request the sub-grantee to submit preliminary cash/in-kind match information in the application process. Matching documentation is required to be demonstrated in the quarterly financial report. All documentation should be clearly stated as well as certified that the stated match will be solely used for said grant.

### ***ALLOWABLE & UNALLOWABLE COSTS***

Allowable costs are those costs identified in each of the grant programs' guidance respectively in conjunction with the OMB circulars, as noted below. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. Sub grantees need to refer to the program guidelines to determine what program costs are allowable for that specific program. It is important to note that costs that are allowable under one grant program may be specifically prohibited under another. Additionally, allowable items may change from one fiscal year to another, so it is important to verify allowable costs with Program Guidance specific to the fiscal year funding.

Please note, grantees generally are not required to comport with the restrictions of the Buy American Act (41 U.S.C. 10a). However, grants authorized under the Stafford Act, including the *Emergency Management Performance Grant*, must follow these standards. The Buy American Act requires that all materials purchased be produced in the United States, unless such materials are not available, or such a purchase would not be in the public interest.

## **Administrative Guidelines**

**[OMB Circular A-102](#), **Grants and Cooperative Agreements with State and Local Governments.** This Circular establishes consistency and uniformity among Federal agencies in the management of grants and cooperative agreements with *State, local, and Federally recognized Indian tribal governments*.**

**[OMB Circular A-110 \(2 CFR Part 215\)](#), **Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.** This Circular establishes administrative requirements for Federal grants and agreements awarded to *commercial organizations, institutions of higher education, hospitals, and other non-profit organizations*.**

## **Cost Guidelines**

**[OMB Circular A-21 \(2 CFR Part 220\)](#), **Cost Principles for Educational Institutions.** This Circular establishes principles for determining costs applicable to grants, contracts, and other agreements with *educational institutions*.**

**[OMB Circular A-87 \(2 CFR Part 225\)](#), **Cost Principles for State, Local and Indian Tribal Governments.** This Circular establishes principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts, and other agreements with *State, local and Federally recognized Indian tribal governments*.**

**[OMB Circular A-122 \(2 CFR Part 230\)](#), **Cost Principles for Non-Profit Organizations.** This Circular establishes principles for determining costs of grants, contracts and other agreements with *non-profit organizations*. It does not apply to colleges and universities, which are covered by Office of Management and Budget (OMB) Circular A-21, "Cost Principles for Educational Institutions"; State, local, and Federally recognized Indian tribal governments, which are covered by OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments"; or hospitals.**

**[Code of Federal Regulations, Title 48 Federal Acquisition Regulations Systems, Chapter 1, Part 31](#), **Contract Cost Principles and Procedures.** This part is to be used by commercial organizations and contains cost principles and procedures for cost analysis and the determination, negotiation and allowance of costs.**

## ***PROCUREMENT***

There are times when it may be necessary to procure goods and/or services in order to accomplish the goals of a program. For example, it may be necessary to purchase equipment or subcontract for services that the recipient does not have the required in-house expertise to perform.

### ***PROCUREMENT STANDARDS***

#### **General**

A State shall follow the same policies and procedures it uses for procurement from its non-federal funds. The State shall ensure that every purchase order or other contract includes any clauses required by federal statutes and executive orders and their implementing regulations. All contracts must be reviewed and approved by the SAA or GAR prior to acceptance and expenditures. Sub-grantees of the State shall follow the procurement requirements imposed upon them by the State. Other recipients and sub-grantees will follow the appropriate OMB Circular.

#### **Standards**

Sub-grantees shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable State and Federal laws and standards.

#### **Adequate Competition**

This Contracting and Procurement Grant Guidance has been developed and approved by the State Administrative Agency (SAA) and the Governor's Authorized Representative (GAR) to provide assistance to all sub-grantees that are recipients of federal funds received by the Nevada Department of Public Safety, Division of Emergency Management (NDEM). This guide is to assist sub grantees in meeting the contracting and procurement requirements, which are conditions of receiving federal grant funds provided by the federal government through NDEM.

Due to the complexity of managing multiple federal programs and their associated programmatic requirements, it is the intent of this guide to provide standardization of the requirements under the Federal Code of Regulation (CFR) 44 Section 13.36, which is universal to the management of grants under CFR 44 Emergency Management and Assistance funding source.

The contracting and procurement guide provides sub-grantees the procedures and regulations regarding:



- Federal Required Procurement standards
- Adequate competition
- Non-competitive practices
- Sole source procurement
- NDEM procedure for requesting and obtaining a sole source waiver
- Contracting debarment rules
- Consultant rates
- Nevada Revised Statute currently used by Locals NRS 332.115
- Code of Federal Regulation 44 Section 13.36
- Federal and State Assurances
- Nevada Solicitation Waiver Request form

### **Federal Required Grant Procurement Standards**

Sub-grantees shall use their own procurement procedures and regulations, provided that the procurement conforms to the most stringent State or Federal laws and standards applicable.

### **Open and Free Competitive Bidding – Sole Source Process**

All procurement transactions, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. **All sole-source procurements in excess of \$100,000 must receive prior written approval of the federal awarding agency.** Interagency agreements between units of government are excluded from this provision.

### **Non-competitive Practices**

The sub-grantee shall be alert to organizational conflicts of interest or non-competitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. **Contractors that develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement.** Any request for exemption must be submitted in writing to the federal awarding agency.

### **Sole Source Procurement (Non-Competitive)**

All non-state procurement transactions shall be conducted in such a manner that provides, to the maximum extent practical, open and free competition. However, should a sub-grantee elect to award a contract without competition, sole source justification will be necessary. Justification must be provided for non-competitive procurement and include a description of the program and what is being contracted for, an explanation of why it is necessary to contract noncompetitively, time constraints and any other pertinent information. DHS/FEMA will approve sole-source procurements for direct grantees only.

Sub-grantees must obtain approval from the grantee (NDEM). If the grantee's regulations require approval at a lower dollar threshold than identified above, the sub grantee shall abide by the grantee's requirements.

### **Procedure for Requesting a Sole Source Waiver**

#### **All sole-source procurements in excess of \$100,000 must receive prior written approval of the federal awarding agency**

Please complete the approved form for your jurisdiction with the following information:

- Identify the Jurisdiction making the waiver request and all appropriate contact information for the person responsible for completing and submitting the request.
- Identify the Sub-grantee, grant year, grant number and project name.
- Identify the proposed vendor and all appropriate contact information, such as the name of the contact person, telephone number, and email address if available.
- Identify the type of waiver requested. If only one vendor can perform the service or provide the good it will be considered a sole or single source request; if more than one vendor can perform the service, but for reasons documented in the request, the service is not suited for competitive solicitation, it will be considered a professional service exemption.
- Clearly describe the service to be performed or the good to be purchased.
- Describe the unique qualifications required of the proposed vendor or of the good to be provided. Examples include proprietary products, warranty issues, integration, etc.
- Identify and justify the circumstances that prohibit competitive solicitation. In the event this is an emergency, identify the circumstances that created the emergency.
- Provide information regarding the possible effect(s) to the Jurisdiction if the solicitation requirements are not waived.
- What did the requesting jurisdiction do to ensure there are no other potential vendors who can provide a substantially similar service or good, (i.e. online research, telephone surveys, email contacts), and how was the similar service/good evaluated to make this determination? Written documentation must be submitted with the request.
- Jurisdictions must demonstrate reasonable and competitive pricing through a cost analysis.
- Provide the dollar amount of the proposed contract and the anticipated term. Indicate if this is either a new contract or amendment, if an amendment, provide the

amendment information as an attachment. Updated solicitation waivers must be submitted with all contract amendments that extend the length of the contract (end date) or increase the value (dollar amount) of the contract. Jurisdictions must provide a copy of any previously approved solicitation waivers.

- All requests for sole source waivers must have programmatic and financial agent signatures, any requests received without signatures will not be processed.
- Sub-grantees may elect to use the State of Nevada form which is attached.
- Submit your request to [DHSGrants@dps.state.nv.us](mailto:DHSGrants@dps.state.nv.us) please allow 2-4 weeks for processing.

### **Grantor and Sub-grantee Contracting Debarment Rules:**

The SAA or GAR as well as the sub-grantee must search the Excluded Parties List System (EPLS) database when directly issuing a contract using federal funds.

The EPLS website is located: <https://www.epls.gov>

In order to ensure the EPLS website has been searched, a search shall be completed in the Request for Bid (RFP) process and in the final contracting process. Each time the database is searched a copy of the search outcome must be documented in the file for auditing purposes. In the event a contractor is listed on the EPLS website as debarred please notify the SAA or GAR and you may request additional information from [support@EPLS.com](mailto:support@EPLS.com) or 1-866-GSA-EPLS.

Certification that the contracting organization(s) is not debarred should reflect the following:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to the application.

### **Current Code of Federal Regulation 44 Part 13**

#### **Federal Emergency Management Agency, DHS § 13.36**

(4) Procurement by *noncompetitive*

*proposals* is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate.

**(i) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies:**

(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 authorizes noncompetitive proposals; or

(D) After solicitation of a number of sources, competition is determined inadequate.

(ii) 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.

(iii) Grantees and sub grantees may be required to submit the proposed procurement to the awarding agency for pre-award review in accordance with paragraph (g) of this section.

(g) *Awarding agency review.* (1) Grantees and sub grantees must make available, upon request of the awarding agency, technical specifications on proposed procurements where the awarding agency believes such review is needed to ensure that the item and/or service specified is the one being proposed for purchase. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the grantee or sub grantee desires to have the review accomplished after a solicitation has been developed, the awarding agency may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

#### **Non-competitive Practices**

The sub grantee shall be alert to organizational conflicts of interest or non-competitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such

procurement. Any request for exemption must be submitted in writing to the federal awarding agency.

### **Sole Source Procurement (Non-Competitive)**

All non-state procurement transactions shall be conducted in such a manner that provides, to the maximum extent practical, open and free competition. However, should a sub grantee elect to award a contract without competition, sole source justification will be necessary. Justification must be provided for non-competitive procurement and should include a description of the program and what is being contracted for, an explanation of why it is necessary to contract noncompetitively, time constraints and any other pertinent information. DHS/FEMA will approve sole-source procurements for direct grantees only. Sub grantees must obtain approval from the grantee (NDEM). If the grantee's regulations require approval at a lower dollar threshold than identified above, the sub grantee should abide by the grantee's requirements.

### **Inventory and Asset Management**

#### Equipment Management

Effective control and accountability must be maintained for all equipment acquired with federal funds. The sub grantee must adequately safeguard all such equipment and must assure that it is used solely for authorized purposes as described in the guidance. The sub grantee will use, manage, and dispose of such property in accordance with 44 CFR Part § 13.32 and will comply with the following:

As required by 44 CFR Ch I, § 13.32 Equipment, the Division of Emergency Management, for compliance monitoring purposes as policy for all state agency sub grantees equipment/asset management internal controls/policies and procedures will follow the regulatory compliance of the Nevada SAM 1544.0, NRS 354.625 and NRS 333.220, which applies a state mandated \$1,000.00 per unit threshold.

As required by 44 CFR Ch I, § 13.32 Equipment, all other Local, Indian Tribal Governments, higher education, hospitals, and other non-profit sub grantees for compliance monitoring purposes as policy will follow the regulatory compliance of 44 CFR Ch I, § 13.32 which applies a federally mandated \$5,000.00 per unit threshold.

Accurate records will be maintained on all acquisitions and dispositions of property acquired with federal awards.

Federally funded equipment records must contain description (including serial number or other identification number), source, who holds title, acquisition date and cost, percentage of federal participation in the cost, location, condition, and disposition data.

Property tags must be placed on equipment.

At a minimum, a physical inventory of the federally funded property must be taken and

reconciled with the property records at least once every two years in accordance with 44 CFR Part § 13 or by jurisdictional regulation or guidance.

Procedures established to ensure that the federal awarding agency is appropriately reimbursed for dispositions of property acquired with Federal awards.

When the equipment is no longer needed, the grantee or sub grantee will request disposition instructions from the SAA or GAR.

Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the federal awarding agency. However before items are sold, please contact the SAA or GAR for instructions.

Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the federal awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the federal awarding agency's share (*the Federal percentage of participation*) of the equipment.

Policies and procedures must be in place for responsibilities of recordkeeping and authorities for disposition.

### **Transfer of Grant Assets**

The procedure to transfer assets from one sub grantee to another would be as follows:

The project shall be complete before assets may be transferred. Any remaining funding left over after project is completed must be de-obligated back to the SAA or GAR for re-obligation. Local policy, procedures and regulations must be followed to transfer assets. Documentation of the transfer must include description and identification, dollar value, location, and Catalog of Federal Award (CFDA) number for the purposes of Federal award reporting.

All documentation of the asset transfer shall be on file with the SAA or GAR with clear justification and the transfer process. The justification must be approved by the SAA before the assets are transferred. The SAA will place the documentation in both files regarding the transfer of equipment and make the necessary modifications to the equipment list. The transferring entity, as well as the receiving entity, of the equipment will be subject to programmatic and fiscal monitoring.

All equipment purchased with grant funding belongs to the grant.

### ***EQUIPMENT Authorized Equipment List (AEL)***

For DHS/FEMA grant programs that include the purchase of equipment, sub grantees must use the Authorized Equipment List (AEL). These lists can be found on the

Responder Knowledge Base (RKB) website at <http://www.rkb.us>. If State agencies and/or local governments have questions concerning the eligibility of equipment not specifically addressed in the AEL, they should contact the SAA (NDEM) for clarification.

### ***EQUIPMENT MARKING***

Applicants are advised that, when practical, any equipment purchased with DHS grant funding shall be prominently marked as follows:

**"Purchased with funds provided by the U.S. Department of Homeland Security."**

### ***CONSULTANT RATES***

Compensation for individual consultant services is to be reasonable and consistent with the amount paid for similar services in the market place. Consideration can be given to compensation, including fringe benefits, for those individuals whose employers do not provide the same. Time and effort reports are required for consultants. Competitive bidding for consultant services is encouraged.

### ***STATE and LOCAL SALES TAXES***

State and local sales taxes are generally allowable costs, unless the tax is levied solely on Federal programs or Federal funding. Whenever possible taxes should not be charged to the grant.

***FOOD and BEVERAGES (not applicable in all grants, please seek pre-approval before ordering food and beverage)***

Food and/or beverage expenses provided by sub grantees are allowable costs if:

The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the particular grant program guidelines; and expenses incurred for food and/or beverages and provided at training sessions, meetings, or conferences satisfy the following tests:

- (a) the cost of the food and/or beverages provided is considered to be reasonable. Please use the GSA rate for food and beverages
- (b) the food and/or beverages provided are subject of a work-related event;

(c) participation by all participants is mandatory; and

(d) the food and/or beverages provided are not related directly to amusement and/or social events. (Any event where alcohol is being served is considered a social event; therefore, costs associated with that event are not allowable). In the event food/meal(s) are being provided, the amount charged for per diem must be reduced accordingly.

### ***SOFTWARE DEVELOPMENT***

Software development costs are allowable and may be expended in the performance period incurred with no dollar limitation, other than budget restrictions. However, all software purchases should be pre-approved to ensure the SAA or GAR will reimburse the expenditures.

### ***MAINTENANCE CONTRACTS***

The cost of an equipment maintenance agreement is allowable for the period of time that covers the grant performance period. Any portion of the contract that extends beyond the grant period may not be charged to the grant award using Federal or matching funds. For example, if the grant project period is one year and the maintenance agreement is for three years, only the cost associated with the first year of the agreement would be allowable. The grantee would have to prorate the cost of the agreement to cover only the grant performance period.

### ***WARRANTY COSTS***

Warranty costs (extensions) on equipment providing extended coverage for parts, labor and repair, above and beyond the term of the original manufacturer's warranty, are allowable if the cost of the warranty is included as part of the acquisition cost. Acquisition cost means the cost of the asset including the cost to put it in place. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired.

## **ENVIRONMENTAL HISTORICAL REVIEW**

### ***EHP PROGRAM***

The Environmental Planning and Historic Preservation (EHP) program integrates the protection and enhancement of environmental, historic, and cultural resources into



FEMA's mission, programs and activities; ensures that FEMA's activities and programs related to disaster response and recovery, hazard mitigation, and emergency preparedness comply with federal environmental and historic preservation laws and executive orders; and provides environmental and historic preservation technical assistance to FEMA staff, local, State and Federal partners, and grantees and sub grantees.

### ***FEMA POLICY***

It is FEMA's policy to act with care to ensure that its disaster response and recovery, mitigation and preparedness responsibilities are carried out in a manner that is consistent with all Federal environmental and historic preservation policies and laws. FEMA uses all practical means and measures to protect, restore and enhance the quality of the environment, to avoid or minimize adverse impacts to the environment, and to attain the objectives of:

1. Achieving use of the environment without degradation or undesirable and unintended consequences;
2. Preserving historic, cultural and natural aspects of national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice;
3. Achieving a balance between resource use and development within the sustained carrying capacity of the ecosystem involved; and
4. Enhancing the quality of renewable resources and working toward the maximum attainable recycling of depletable resources.

### ***NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)***

In 1969, Congress enacted NEPA in response to public concern about the deteriorating quality of the "human" environment and the inadequate consideration of environmental impacts of major federal projects. **The human environment encompasses the following areas: physical (geology, soils, air, water), biological (plants, animals), social (communities, economics), and cultural (archaeological and historic resources).** The intent of NEPA is to ensure safe, healthful, productive, and esthetically and culturally pleasing surroundings. NEPA helps federal agencies incorporate these values into their programs by requiring them to give equal consideration to environmental factors, in addition to financial and technical factors, in their planning and decision-making processes.

NEPA establishes a national policy for the protection and maintenance of the environment by providing a process, which all federal agencies must follow. The Act called for the creation of the President's Council on Environmental Quality (CEQ). CEQ in turn created regulations for implementing NEPA. Because NEPA is a procedural

law, CEQ requires each federal agency, including FEMA, to write their own NEPA compliance regulations to fit their particular programs.

FEMA's Regulations at [44 CFR Part 10](#), the Department of Homeland Security's Management Directive 5100.1, and the Council on Environmental Quality Regulations at [40 CFR Part 1500-1508](#) implement the NEPA requirements for FEMA.

### **Summary of Requirements**

NEPA directs federal agencies to thoroughly assess the environmental consequences of "major federal actions significantly affecting the environment." Before FEMA can fund or implement an action that may affect the environment, agency decision-makers must study the potential impacts that the proposed action and alternatives will have on the human and natural environment, and make that information available to the public. Because different actions may not have similar, significant effects on the environment, there are differing levels of review under NEPA:

#### ***FEMA'S CATEGORICAL EXCLUSIONS***

NEPA provides for each agency to develop a list of categories of actions that are determined through agency experience to typically have no significant environmental impact, and thus may generally be excluded from detailed documentation (EA or EIS). Review and documentation for actions that qualify for one or more of these categories is generally minimal but should address any extraordinary circumstances and any requirements of other environmental laws or executive orders. Though detailed NEPA documentation does not apply, requirements of other laws must be documented as appropriate.

FEMA's list of Categorical Exclusions have been codified at 44 C.F.R. 10.8(d)(2). The agency's list of Extraordinary Circumstances that should be taken into consideration to determine if a Categorical Exclusion applies include whether the action involves:

- (i) Greater scope or size than normally experienced for a particular category of action;
- (ii) Actions with a high level of public controversy;
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;

(vi) Presence of hazardous or toxic substances at levels, which exceed Federal, state or local regulations or standards requiring action or attention;

(vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;

(viii) Potential for adverse effects on health or safety; and

(ix) Potential to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

(x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

**Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.**

***Streamlined submission of Environmental and Historic Preservation (EHP) Review Packets and Narrowbanding EHP Requirements***

**Revised EHP Screening Form:**

In an attempt to further streamline the EHP review process, the GPD-EHP team has simplified and shortened the EHP Screening Form. A copy of the revised EHP Screening

Form can be downloaded from:

[http://www.fema.gov/doc/government/grant/bulletins/info329\\_final\\_screening\\_memo.docx](http://www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.docx).

This form must be completed for all of the following GPD funded activities:

- Physical security enhancements
- Renovations/upgrades/modifications to structures
- Any projects with the potential to cause adverse impacts to natural, biological or cultural resources (including historic properties)

Upon receipt of an EHP review packet, each project will be issued a Case ID number. Grantees will be sent an e-mail with this Case ID number within five business days. To facilitate communications, the Case ID number should be used in all future EHP-related correspondence for this project. Although the EHP Screening Form is comprehensive, further information and documentation may be required in order to complete the EHP review. The following activities do not require submission of an EHP Screening Form:

- Management and Administration (M&A)
- Planning
- Classroom-based Training
- Tabletop Exercises and Functional Exercises
- Training and Operational Exercises in Existing Facilities
- Purchase of Mobile and Portable Equipment (without installation)

**Need for timely response to requests for more information on EHP reviews:**

The first step of the EHP review is to ensure that the grantee’s review packet is complete, as an EHP review cannot proceed if the packet is missing information/documentation. If an EHP packet is found to be incomplete, the grantee will be informed of this finding within 10 – 15 business days and given specific instructions on the information that is required before the EHP review can start.

To ensure that an EHP determination can be made without delay we ask that grantees comply with any requests for additional information from GPD as soon as possible. To encourage that response, the GPD-EHP Team and your Program Analyst will send grantees reminders and notifications until the information is received. However, if a grantee remains unresponsive for 12 weeks, the case will become inactive. Once a case has become inactive, the project will not be funded until the grantee has resubmitted a new and complete EHP review packet.

**Environmental and historic preservation (EHP) requirements for grant-funded projects related to narrowbanding migration:**

In December 2004, the Federal Communications Commission (FCC) announced that all non-Federal radio licensees operating 25 kHz systems in the 150-174 MHz and 421-512 MHz bands (VHF and UHF) must migrate to more efficient 12.5 kHz (narrowband) channels by January 1, 2013. This will require a wide range of activities, ranging from replacing and retuning mobile and portable equipment to the replacing or upgrading fixed equipment. GPD has defined several categories of narrowbanding projects and their associated EHP documentation requirements:

• **Category 1 - Software upgrades and retuning/reprogramming of existing equipment:** These projects involve no physical replacement of equipment and will not require the submission of an EHP Screening Form.

• **Category 2 – Purchase of mobile and portable or plug-in equipment:** These projects only include the purchase or replacement of mobile and portable or plug-in equipment,

though no equipment that requires permanent installation on or in existing buildings or structures. These projects will not require the submission of an EHP Screening Form.

• **Category 3 – Replacement of components within existing consoles, sirens or radios:**

These projects involve the replacement of plug-in equipment or components within existing boxes, consoles, sirens, or radios. These projects will not require the submission of an EHP Screening Form.

• **Category 4 – Installation of sirens, radios or other equipment:** These projects involve replacement or permanent installation of equipment on or in existing buildings or structures, not including the component replacement activities specified in Category 3. These projects will require the submission of an EHP Screening Form.

All other narrowbanding projects not described above will require the completion of an EHP Screening Form.



OMB Control#: 1660-0115  
Expiration Date: 10/31/2013  
FEMA Form: 024-0-1

DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY  
**ENVIRONMENTAL AND HISTORIC PRESERVATION SCREENING FORM**

**Paperwork Burden Disclosure Notice**

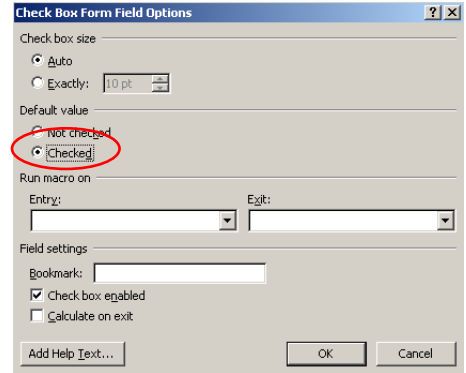
*Public reporting burden for this form is estimated to average 8 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting the form. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (1660- 0115) **NOTE: Do not send your completed form to this address.***

**Completing the Screening Form:**

This form must be attached to all project information sent to the Grant Programs Directorate (GPD) to initiate environmental and historic preservation (EHP) compliance review, per the National Environmental Policy Act (NEPA) and other EHP laws and executive orders. *There is no need to complete and submit this form if the grant scope is limited to planning, management and administration, classroom-based training, table-top exercises and functional exercises, or purchase of mobile and portable equipment where no installation needed.* Information Bulletin 345 (September 1, 2010) provides details on these activities. The form must be completed by

someone with in-depth understanding of project details and location. Completion of this form does not conclude the EHP review process and FEMA may need to contact you for further information. Not providing requested information may result in funding release delays. This form is intended to be completed electronically. The following website provides a version of this form that is suitable for printing and completing by hand as well as additional guidance such as on how to make an aerial map: <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm#5>.

To check (X) a box (for example,  Yes  No), left double-click using your mouse and a Check Box Form Field Options box will appear, then under the Default Value, select Checked and press OK (see figure, right). To write in a text field (\_\_\_\_), select the text field with your mouse and begin typing.



*Submit completed form with necessary attachments to GPDEHPInfo@dhs.gov with the following information in the e-mail subject line: EHP Submission: Project Title, Sub grantee Name; Grant Award Number (Example, EHP Submission: Courthouse Camera Installation, Any Town, State, 12345).*

**Complete all of Section A, Section B, all of each portion(s) of Section C corresponding to checked blocks in Section B, and all of section D that apply to the project.**

**A. PROJECT INFORMATION (complete all)**

DHS Grant Award Number: \_\_\_\_\_ Grant Program: ..... \_\_\_\_\_

Fiscal Year:..... \_\_\_\_\_

Project Title: ..... \_\_\_\_\_

Grantee (SAA):..... \_\_\_\_\_

Grantee POC: ..... \_\_\_\_\_

Mailing Address: ..... \_\_\_\_\_

E-mail: ..... \_\_\_\_\_

Sub grantee: ..... \_\_\_\_\_

Sub grantee POC: ..... \_\_\_\_\_

Mailing Address: ..... \_\_\_\_\_

E-mail: ..... \_\_\_\_\_

Dollar value of grant (if known): \_\_\_\_\_

**B. PROJECT TYPE**

Please check ALL the block(s) that best fit the scope of the project.

- 1. Training and Exercises. Go to page 2. Complete all of Section C.1.

- 2. Purchase of Equipment. Go to page 3. Complete all of Section C.2.
- 3. Physical security enhancements. Go to page 3. Complete all of Section C.3.
- 4. Renovations/upgrades/modifications to existing structures. Go to page 3. Complete all of Section C.4.
- 5. New construction/addition. Go to page 4. Complete all of Section C.5.
- 6. Communication towers, related equipment, and equipment shelters. Go to page 5. Complete all of Section C.6.
- 7. Other. If your project does not match any of these categories, go to page 6. Complete Section C.7

*The following information is required to initiate EHP review of the project. Based on the project's scope of work, determine which project type applies below and complete that section. For multi-component projects or those that may fit into multiple project types, complete the section that best applies and provide a complete project description. The project description should contain a brief summary of what specific action is proposed, where it is proposed, and how it will be implemented. If the project involves multiple locations, information for each must be provided. Attach additional pages, if needed.*

Provide a complete project description: \_\_\_\_\_

**C. PROJECT DETAILS**

1.  **Training and Exercises (check each that applies):**  **Classroom-based**  **Field-based**  
*If the training is classroom and discussion-based only, and is not field-based, this form does not need to be completed and submitted.* All other training must provide the following:

- a. Describe the scope of the proposed training or exercise (purpose, frequency, materials, and equipment needed, number of participants, and type of activities required)  
 (Attach additional pages, if needed): \_\_\_\_\_
- b. Will the field-based training take place at an existing facility having established procedures for that particular proposed training and exercise, and that conforms with existing land use designations (refer to Information Bulletin #329 ([http://fema.dps.mo.gov/empg/IB%20329\\_20090902.pdf](http://fema.dps.mo.gov/empg/IB%20329_20090902.pdf)) for further information)?  
 .....  
 Yes  No
  - If yes, please provide the name and location of the facility (physical training site address or latitude-longitude): \_\_\_\_\_
  - If no, provide the location (physical project address or latitude-longitude) **and** a full description of the area where training will occur:..... \_\_\_\_\_
- c. Does the field-based training/exercise differ in any way (including, but not limited to frequency, amount of facilities/land used, materials or equipment used, number of participants, type of activities) from previously permitted training exercises and training practices? .....   
 Yes  No
  - If yes, explain any differences between the proposed activity and those that were approved in the past, and the reason(s) for the change in scope: ..... \_\_\_\_\_
- d. Will any equipment or structures need to be installed to facilitate training?.....   
 Yes  No
  - If yes, explain how and where this is proposed to be done (*include site-specific color photographs*): ..... \_\_\_\_\_

2.  **Purchase of equipment** *(If the entire project is limited to purchase of mobile/portable equipment and there is no installation needed, you do not need to complete and submit this form.)*
- Specify what equipment, and the quantity: .....
  - Provide AEL number(s) (if known): .....
  - Will this equipment be installed?.....   
Yes  No
    - If Yes, go to page 6. Complete Section D.
3.  **Physical security enhancements and or installations** **(for example: installation of back-up generators, fencing, cameras, building/room access control, bollards, motion detection systems, x-ray machines, and lighting).**
- Describe what, how, and where improvement(s)/installation(s) will occur in/on the facility/building/structure: .....
  - Provide project location (physical project address and latitude-longitude):.....
  - Will the new equipment/improvements use the existing power supply systems?.....  Yes  No
    - If no, describe new power source and installation (such as utility trenching): .....
  - If generator installation, please state the capacity (KW):.....
    - If a separate fuel tank is also included, describe if it is to be installed above or below ground, and its capacity (gallons): .....
  - Go to Page 6. Provide additional project details in Section D.
4.  **Renovations/upgrades/modifications to existing structures.**
- Provide detailed description of modifications:.....
  - Provide project location (physical project address and latitude-longitude): .....
  - Will any equipment need to be installed?.....  Yes  No
    - If yes, please note in Section 2, (purchase of equipment).
  - Go to Page 6. Provide additional project details in Section D.
5.  **New construction/addition** **(for example: emergency operations centers, docks, piers, security guardhouse).**
- Provide detailed scope of work (site acreage, new facility square footage/number of stories, utilities, parking, stormwater features, etc): .....
  - Provide project location (physical project address or latitude-longitude): .....
  - Will any equipment need to be installed?.....   
Yes  No
    - If yes, please note in Section 2 (purchase of equipment).
  - Will the new building/facility/renovations use existing utilities? .....



- If no, describe installation of new utilities in (a) above (including trenching): .....
- e. Go to Page 6. Provide additional project details in Section D.

6.  **Communication towers, related equipment, and equipment shelters**

- a. Provide a detailed description of the project .....
- b. Provide project location (physical project address or latitude-longitude: .....
- c. Provide the elevation above mean sea level of the project location: .....
- d. For projects involving antenna(s) installations on existing towers:
- Provide the height of the existing tower: .....
  - The height of the tower following the installation of the new antenna(s):.....
- e. For new tower projects, state the total height (in feet) of the communication tower or structure including any antennae to be mounted: .....
- If the proposed tower height is greater than 199 feet above ground level, state why this is needed to meet the requirements of the project: .....
  - Will the tower be free-standing or require guy wires? .....  Free standing  Guy wires
  - If guy wires are required, state number of bands and how many: .....
  - State why a guyed tower is needed to meet the requirements of this project: .....
  - What kind of lighting will be installed, if any (for example: white strobe, red strobe, or steady burning?): .....
- f. A general description of terrain (For example: mountainous, rolling hills, flat to undulating): .....
- g. Describe the frequency and seasonality of fog/low cloud cover: .....
- h. Provide a list of habitat types and land use on and adjacent to the tower site (within ½ mile), by acreage and percentage of total (e.g., woodland conifer forest, grassland, agriculture) waterbody, marsh): .....
- i. Is there evidence of bird roosts or rookeries present within ½-mile of the proposed site?.....  Yes  No
- a. If yes, describe: .....
- Distance to nearest wetland area (for example: forested swamp, marsh, riparian, marine) and coastline if applicable:.....
- i. Distance to nearest telecommunication tower:.....
- j. Have measures been incorporated for minimizing impacts to migratory birds? .....
- Yes  No
- If yes, describe: .....
- k. Has an FCC registration been obtained for this tower?.....
- Yes  No .....
- If yes, provide Registration #: .....

- l. Has the FCC E106 process been completed? .....   
 Yes  No
- m. Has the FCC Tower Construction Notification System (TCNS) process been completed?.....   
 Yes  No
- If yes, attach all relevant environmental documentation submitted as part of the registration process including use of the Tower Construction Notification System (TCNS), if applicable. FRN# ..... \_\_\_\_\_
- n. Will any equipment or structures need to be installed?.....   
 Yes  No
- If yes, explain what type how and where this is proposed to be done (*attach additional pages, if pages needed*):..... \_\_\_\_\_
- o. Will equipment be co-located on existing FCC licensed tower or other structure? .....   
 Yes  No
- If yes, identify the type of structure: ..... \_\_\_\_\_
- p. Go to Page 6. Provide additional project details in Section D.

7.  **Other.** For any project that does not fit a category listed above, please provide a thorough summary of the proposed action and location. Include as much detail as necessary to ensure someone not personally familiar with the project is able to conduct an EHP review.
- a. Project Summary: \_\_\_\_\_
- b. Provide additional project details in Section D.

**D. OTHER PROJECT RELATED INFORMATION (complete all that apply)**

The following website may provide some additional EHP related guidance and resources to help complete this section <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm#5>.

1. If work is proposed on/in an existing building(s) or structure(s) provide the year built: ..... \_\_\_\_\_
- If the building or structure involved is over 45 years old and significant renovation, rehabilitation, or modification has occurred, please provide the year(s) and briefly describe the nature of remodeling:..... \_\_\_\_\_
2. If the project affects the exterior of the building, are there any known buildings and/or structures that are 45 years or older in the immediate project area? .....   
 Yes  No/NA ..... \_\_\_\_\_
- If yes, please provide the location, ground-level color photos of these, and identify their location(s) on the aerial map.
3. Is the building or structure on which work is proposed a historic property or in a historic district, or are there any adjacent historic properties? .....   
 Yes  No
- Information about historic properties may be found on the National Register of Historic Places at <http://nrhp.focus.nps.gov/natreghome.do?searchtype=natreghome> or the respective State Historic Preservation Office may have information on their website.
4. Will ground disturbance be required to complete the project? .....   
 Yes  No

- If yes, provide total extent (depth, length and width) of each unique ground disturbing activity. Light poles, bollards and fencing are each unique ground disturbing activities (For example, six light poles, 24" dia. x 4' deep; trenching 12" x 500' x 18" deep):..... \_\_\_\_\_
5. Has the ground been previously disturbed?.....
- Yes  No
- If yes, please describe the current disturbed condition of the area (for example, parking lot, roadway right-of-way, commercial development):..... \_\_\_\_\_
6. Are there technical drawings or site plans available, if yes please attach. ....
- Yes  No
7. Attach color site photographs:
- Ground-level color site photos that provide context and show where site work/physical installations are proposed (label photos),
  - Ground-level color photographs of each side of the building involved.
  - Aerial color photograph with project limits outlined and with the location of any proposed installations identified.
  - Aerial color photograph(s) showing all ground disturbing activities (if applicable).
8. Is the project part of an approved plan such as a Master Plan or an Implementation Plan or any larger action/project? .....
- Yes  No
- If yes, provide the plan/project name and brief description: ..... \_\_\_\_\_
9. Is there any *previously* completed environmental documentation for this project (for example: Environmental Impact Statement, Environmental Assessment, wetland delineation, archaeological study)?.....
- Yes  No
- If yes, please attach documentation. If a NEPA document, what was the decision? (*Check one, and please attach*):
    - Finding of No Significant Impact (FONSI) or
    - Record of Decision (ROD)
 Name of preparing agency:..... \_\_\_\_\_  
 Date approved:..... \_\_\_\_\_
10. Is there any *previously* completed agency coordination for this project (for example correspondence with the U.S. Fish and Wildlife Service, State Historic Preservation Office (SHPO), Tribal Historic Preservation Office (THPO), or permitting agencies? .....
- Yes  No
- If yes, please attach documentation unless included in NEPA documentation identified above.
11. Provide FEMA Flood Insurance Rate Map (FIRM), with project limits outlined. FIRM maps can be created from: <http://www.fema.gov/hazard/map/firm.shtm>
12. Provide U.S. Fish and Wildlife Service, National Wetlands Inventory (NWI) Map created from: <http://www.fws.gov/wetlands/Data/Mapper.html>

## FINANCIAL & PROGRAMMATIC MONITORING

### *ON-SITE SUBGRANTEE MONITORING PROCESS*

The (NDEM) Sub-grantee Onsite Review program is designed to meet the federal requirement of the pass-through entity's responsibilities as outlined in the Office of Management and Budget's (OMB) Circular No. A-133. The Sub-grantee Onsite Review program is designed to annually review sub-grantees financial and programmatic activities related to the outlined administrative requirements of federally funded grant programs. The Sub-grantee Onsite Review program's objectives are to:

1. Verify the proper utilization of grant funds as identified in grant award documentation
2. Ensure federal, state and grant program compliant requirements, restrictions and regulations are met
3. Identify areas of strength and areas to improve pertaining to grant compliance.
4. Develop and present a constructive report for sub-grantees
5. Monitor and assist sub-grantee's progress through a corrective action process to enhance grant program compliance
6. To continually encourage sub-grantee grant performance and improvement practices

### *SINGLE AUDIT REPORTING*

OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. This Circular provides requirements regarding audits of *State, local and tribal governments and non-profit organizations* (the Single Audit Act), in addition to the circulars for cost principles. This Circular requires that non-Federal entities that expend \$500,000 (effective January 1, 2004) or more of total Federal funds in their fiscal year shall have a single or program-specific audit conducted for that year. Guidance on determining Federal awards expended is provided in **Section 205** of this Circular.

Unless prohibited by law, the costs of audits made in accordance with the provisions of this requirement are allowable charges to Federal awards. The charges may be considered a direct cost or an allocated indirect cost, as determined in accordance with the provisions of applicable OMB cost principles circulars, the Federal Acquisition Regulation (FAR) (48CFR parts 30 and 31), or other applicable cost principles or regulations.

For those organizations not subject to the A-133 requirements, records must still be available and complete for review or audit by appropriate officials or representatives of the Federal agency, pass-through entity, and Government Accountability Office (GAO). These organizations shall have financial and compliance audits conducted by qualified individuals who are organizationally, personally, and externally independent from those who authorize the expenditure of Federal funds, to ensure that there is no conflict of interest or appearance of conflict of interest.

The cost of auditing a non-Federal entity that has Federal awards expended of less than \$500,000 per year and is thereby exempted under the A-133 requirement may not charge such costs to their Federal award(s).

### ***GRANT CLOSEOUT PROCESS***

The NDEM has 45-90 days to complete the close out process for a grant. Therefore, it is critical for the sub grantees to submit the final QFR and progress reports no later than 45 days following the close of the sub-grant performance period. If the sub-grantee has received an extension, the final report is due no later than 15 days after the close of the grant. In the event that the final reports are not received by the NDEM, every attempt to contact the sub grantee will be made. However, if the proper documentation is not received by the closing period, the grant will be closed without reimbursement to the sub-grantee. Once a grant is closed, no payment can or will be issued and there is no opportunity for recourse.

### ***TECHNICAL ASSISTANCE***

Technical assistance (T/A) is to improve the understanding and education of the sub-grantees and the NDEM staff on the requirements of grant management in all programs under the NDEM and as the State Administrative Agency.

Each grant under the SAA is designed to improve overall prevention, mitigation, preparedness, response and recovery for emergency incidents in the State of Nevada.

T/A is available through telephone, video conference and site visits. Technical assistance and grant training will be held twice a year, once in the northern part of the state as well as once in the southern part of the state. Any additional in-person T/A requests will be delivered at the discretion of the SAA with the understanding that due to budgetary constraints, teleconferencing will be the preferred method of delivery.

T/A is available on the following subjects: Investment justifications, budgets, quarterly financial reports, quarterly progress reports, project change requests, grant guidance, approved equipment list, work plans, state preparedness report requirements and any type of documentation required by the SAA. T/A is not to take the place of sub grantees internal training but to enhance the overall grant management process.

The NDEM grant management team are available by telephone to give T/A when necessary. To request formal T/A, please submit a written request with the following information included: Local, State or Tribal government name, contact information, what type of T/A is being requested, please list subject matter being requested, available dates, and email or send the information to the Grant Manager in charge of the program for which you are requesting technical assistance.

## ***FEDERAL ADMINISTRATIVE GUIDELINES***

### **Federal Office of Management and Budget Federal Grant Circulars**

#### **Administrative Guidelines**

[OMB Circular A-102](#), **Grants and Cooperative Agreements with State and Local Governments.** This Circular establishes consistency and uniformity among Federal agencies in the management of grants and cooperative agreements with *State, local, and Federally recognized Indian tribal governments*.

[OMB Circular A-110 \(2 CFR Part 215\)](#), **Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.** This Circular establishes administrative requirements for Federal grants and agreements awarded to *commercial organizations, institutions of higher education, hospitals, and other non-profit organizations*.

#### **Cost Guidelines**

[OMB Circular A-21 \(2 CFR Part 220\)](#), **Cost Principles for Educational Institutions.** This Circular establishes principles for determining costs applicable to grants, contracts, and other agreements with *educational institutions*.

[OMB Circular A-87 \(2 CFR Part 225\)](#), **Cost Principles for State, Local and Indian Tribal Governments.** This Circular establishes principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts, and other agreements with *State, local and Federally recognized Indian tribal governments*.

[OMB Circular A-122 \(2 CFR Part 230\)](#), **Cost Principles for Non-Profit Organizations.** This Circular establishes principles for determining costs of grants, contracts and other agreements with *non-profit organizations*. It does not apply to colleges and universities, which are covered by Office of Management and Budget (OMB) Circular A-21, "Cost Principles for Educational Institutions"; State, local, and Federally recognized Indian tribal governments, which are covered by OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments"; or hospitals.

Code of Federal Regulations, Title 48 Federal Acquisition Regulations Systems, Chapter 1, Part 31, Contract Cost Principles and Procedures. This part is to be used by commercial organizations and contains cost principles and procedures for cost analysis and the determination, negotiation and allowance of costs.

Code of Federal Regulations, Title 48 Federal Acquisition Regulations Systems, Chapter 1, Part 31

**Contract Cost Principles and Procedures.** This part is to be used by commercial organizations and contains cost principles and procedures for cost analysis and the determination, negotiation and allowance of costs.

***AUDIT GUIDELINES***

***UNALLOWABLE COSTS***

In addition to the applicable cost principles provided within the OMB Circulars, sub-grantees should refer to the program guidelines to determine what program costs are not allowed for that specific program. Costs that are unallowable under one grant program may be allowed under another. Costs generally unallowable under Federal grants are as follows:

- **Land Acquisition**

Land acquisition costs are unallowable unless otherwise noted in grant guidance.

- **Compensation of Federal Employees**

Salary payments, consulting fees, or other compensation of full-time Federal employees are unallowable costs.

- **Travel of Federal Employees**

Costs of transportation, lodging, subsistence, and related travel expenses of federal employees are unallowable charges. Travel expenses of other Federal employees for advisory committees or other program or project duties or assistance are allowable if they have been:

1. Approved by the federal employee's Department or Agency; and
2. Included as an identifiable item in the funds budgeted for the project or subsequently submitted for approval.

- **Bonuses or Commissions**

The sub-grantee is **prohibited** from paying any **bonus or commission** to any individual or organization for the purpose of obtaining approval of an application for award assistance. Bonuses to officers or board members of profit or non-profit organizations are determined to be a profit or fee and are **unallowable**.

- **Lobbying**

All recipients and sub recipients must comply with the provisions of the government-wide Common Rule on Restrictions on Lobbying, as appropriate.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting 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 the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting 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 this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
- c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

### **Fund Raising**

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other program related activities.

An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the award. The donation must be supported with source documentation.



A recipient may also expend funds, in accordance with approved award terms, to seek future funding sources to expand the project, but not for the purpose of raising funds to finance related or complementary project activities.

Nothing in this section should be read to prohibit a recipient from engaging in fund raising activities as long as such activities are not financed by the Federal or non-Federal portion of award funds.

### **Conferences and Workshops**

Unallowable costs include but are not limited to:

- a) Entertainment;
- b) Sporting events;
- c) Visa fees;
- d) Passport charges;
- e) Tips;
- f) Bar charges/Alcoholic beverages;
- g) Laundry charges; and
- h) Lodging costs in excess of Federal per diem (GSA rates)

### ***COSTS REQUIRING PRIOR APPROVAL***

Written approval is required for those costs specified in OMB Circulars A-21, A-87, and A-122 (2 CFR 220, 225, and 230) as “Costs Allowable with Approval of Awarding Agency” or costs that contain special limitations. Costs not directly referenced in the federal circulars always require prior approval.

Where prior approval is required, the Federal Government (DHS, FEMA) will be the approval authority for all discretionary recipients and for the State when it is the direct recipient. Where prior approval authority for sub grantees is required, it will be vested in the State unless specified as being “RETAINED BY THE FEDERAL AWARING AGENCY,” as identified below. Sub grantee requests for grant approval must be submitted through the State for a formula award.

The intention of DHS/FEMA is not to require approval of all changes within the listed cost categories, but only for those aspects or elements that specifically require prior approval.

### **Types of Costs Requiring Prior Approval**

The following is a list of costs that require prior approval:

- a) Construction (i.e. any ground disturbance or erecting of internal walls)
- b) Pre-agreement Costs
- c) Proposal Costs
- d) Audit Costs
- e) Interest Expense
- f) Foreign Travel
- g) Environmental Historical Preservation (EHP)

### ***DRUG FREE WORKPLACE***

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

### ***FEDERAL GRANT GUIDANCE***

Each grant available through NDEM has federal grant guidance. The specific grant guidance must be reviewed and followed by the sub-grantee. The grant guidelines are available on the websites of the sponsoring federal entity: [www.fema.gov/grants](http://www.fema.gov/grants)

Along with the federal grant guidance periodically the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) and Department of Energy may have updates or supplemental information to the existing guidance. This information is in the form of an “Information Bulletin” (IB), this information typically is not to supersede but to supplement or expound on the existing grant guidance. The IB may also update or add more information to the general grant management federal laws and regulations (i.e. OMB circulars).

<http://www.whitehouse.gov/omb/circulars/>

<http://www.fema.gov/grants/grant-programs-directorate-information-bulletins>

### ***LESSONS LEARNED INFORMATION SHARING (LLIS) RESOURCE PAGE ON EMERGENCY PLANNING FOR PERSONS WITH DISABILITIES AND SPECIAL NEEDS***

A true one-stop resource shop for planners at all levels of government, non-governmental organizations, and private sector entities, the resource page provides more than 250 documents, including lessons learned, plans, procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle. LLIS.gov is available to emergency response providers and homeland security officials from the Federal, State, and local levels. To access the resource page, log onto <http://www.LLIS.gov> and click on Emergency Planning for Persons with

Disabilities and Special Needs under Featured Topics. If you meet the eligibility requirements for accessing Lessons Learned Information Sharing, you can request membership by registering online.

### ***SUBGRANTEES***

An individual and/or organization that receives Federal financial or property assistance through the direct recipient of Federal funds. This may include entities receiving funds as a result of formula awards. Units of government and other organizations receiving Federal financial assistance from the State shall adhere to applicable State laws and procedures except where inconsistent with Federal statutes and guidelines. The circulars and government-wide common rules specific to that organization-type also apply.

Individuals from the above organizations who may use this Guide include, but are not limited to: administrators, financial management specialists, grants management specialists, accountants, and auditors. These individuals are to use the Guide as a financial policy reference in executing their duties under agency-funded programs and projects. Additionally, the document is structured to serve as a training manual for new employees.

### ***DETERMINING THE RELEVANT STANDARDS***

In determining the relevant standards for the conduct of grant operations, grantees and subgrantees should consider the following, in precedential order:

- Public Laws
- Congressional Appropriations
- Federal & Tribal Regulations
- State Regulations
- Local Regulations
- Executive Orders
- OMB Circulars
- Departmental Policy (Award Guidance)
- Award Terms and Conditions
- State and Local and Tribal Policies and Procedures

### ***COMMINGLING OF FUNDS***

Federal agencies shall not require physical segregation of cash deposits or the establishment of any eligibility requirements for funds that are provided to a recipient. However, the accounting systems of all recipients and sub-recipients must ensure that agency funds are not commingled with funds from other awards or Federal agencies. Each award must be accounted for separately. Recipients and sub-recipients are prohibited from commingling funds on either a program-by-program or project-by-project basis without prior written approval of the awarding agency.

### ***GRANTEE RESPONSIBILITIES***

A grantee has full responsibility for the conduct of the project or activity supported and for the results achieved. The grantee must monitor the performance of the project to assure adherence to performance goals, time schedules or other requirements as appropriate to the project or the terms of the agreement. The grantee is responsible for monitoring the activities of and pass-through requirements to any subgrantee.

### ***SUPPLANTING***

Recipients of grant funds shall not replace funding appropriated from State and local governments with their Federal grant funding. It is the purpose of these grants to increase the overall amount of resources available to any grant funded organization in order to bolster preparedness and to increase services and opportunities. Current levels of activities or programs funded by State, local or non-governmental entity resources should only be increased by receipt of Federal funding. Recipients therefore must ensure that they do not reduce the current overall level of funding support to preparedness missions, absent exigent circumstances. For example, if a State pays the salaries of three intelligence analysts, it cannot begin to pay the salary of one of them with Federal grant funding. It could, however, hire a fourth analyst.

Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the applicant or grantee/subgrantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds. A confirmation during the application process may be requested by the awarding agency from the recipient agency stating that Federal funds will not be used to supplant State or local funds.

### ***NON-SUPPLANTING CERTIFICATION***

This certification affirms that 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/subgrantees 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.

### ***CASH MANAGEMENT IMPROVEMENT ACT OF 1990***

The Cash Management Improvement Act (CMIA) provides the general rules and procedures for the efficient transfer of Federal financial assistance between the Federal government and the States.

### ***NDEM Grant & Program Contact Information***

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***Grant Section Chief***  
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***Valerie Sumner***  
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***Elizabeth Ashby***  
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*Interoperable Communications*  
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*Tim Cary*  
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775-687-0389  
[tcary@dps.state.nv.us](mailto:tcary@dps.state.nv.us)

*Bill Elliot*  
*Planning Officer*  
775-687-0308  
[belliot@dps.state.nv.us](mailto:belliot@dps.state.nv.us)

## Attachments

### Forms used by NDEM

- Quarterly Financial Report (QFR)
- Project Change Request (PCR)
- Instructions for the QFR & PCR
- Standard Budget
- Standard Spending Plan- grant ending dates may vary
- Solicitation Waiver Request Form
- Federal & State Assurances – version may vary from year-to-year



# QUARTERLY FINANCIAL REPORT

Division of Emergency Management  
 2478 Fairview Drive  
 Carson City, Nevada 89701  
 (775) 687-0300 Fax (775) 687-0323

Reporting Period:	Quarter STARTING month, day & year	Quarter ENDING month, day & year
-------------------	------------------------------------	----------------------------------

Subgrantee Agency:	Report No. :
Address:	Funding Year:
PROJECT NAME:	Grant Fund Stream:
Project Manager:	Funding Job #:
Fiscal Agent:	Fed Funds %: 100%
Phone:	
Phone:	

### TO-DATE CUMULATIVE TOTALS

		Adjustments
A.	Total Expenses Previously Claimed	\$ -
B.	Total Expenses Claimed This Period	\$ -
C.	Total Expenses Claimed To Date (Lines A+B)	\$ -
D.	Total Federal Grant Funds Awarded	\$ -
E.	Balance of Federal Funds	\$ -
F.	Committed But Not Spent	\$ -

### BUDGET, EXPENDITURES & COMMITMENTS BY CATEGORY

Category	Grant Funds Awarded (C)	Previously Claimed To Date (A)	Claimed This Period (B)	Total Claimed To Date (C)	Committed But Not Spent (F)
Personnel/Contractors	\$ -	\$ -	\$ -	\$ -	\$ -
Organization	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
Training	\$ -	\$ -	\$ -	\$ -	\$ -
Exercise	\$ -	\$ -	\$ -	\$ -	\$ -
Planning	\$ -	\$ -	\$ -	\$ -	\$ -
M&A	\$ -	\$ -	\$ -	\$ -	\$ -
<b>COLUMN TOTALS</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Federal Funds Requested this Claim = (B):</b>				\$	-

Attached are copies of all expenses to substantiate the expenses requested on this claim. I certify that submitted invoices have been paid prior to the request for reimbursement from the SAA and to the best of my knowledge and belief, this report is correct and complete and that all outlays and unpaid obligations are for the purposes set forth under the terms of federal and state assurances, program regulations and the approved grant budget. I further certify that a copy of this Financial Report has been provided to the above named Project Manager.

Signature - Fiscal Agent	Date

### Notes

### DEM Use Only

Budget Account:	
Category:	
General Ledger:	
Job Number:	
Amount Reimbursed:	
Voucher #:	
Initials:	
Date:	





# PROJECT CHANGE REQUEST

Request Date:   
 Approval/Denial Date:

## Division of Emergency Management

Subgrantee Agency:	Change Request #:
Address:	Funding Year:
PROJECT NAME:	Grant Fund Stream:
Project Manager:	Phone: - Funding Job #:
Fiscal Agent:	Phone: -

### CHANGE REQUESTED

The following change, amendment, or adjustment to the above subgrant, is requested (check one or more):

Project Period Extension       Change in Scope of Work

Budget Revision

Note: The subgrantee must provide a written explanation of what the requested changes are, and why any shift (increase or decrease) of funds among categories is necessary.

Briefly describe the nature and reason for the change request:

### CHANGE TO BUDGET BY CATEGORY

Category	Grant Funds Awarded (Current Budget)	Requested Budget	Net Change	Change Request Required Support Documentation (See Instruction Tab)
Personnel/Contractors	\$ -	\$0.00	0.00	Original Budget with line item detail including debits and credits
Organization	\$ -	\$0.00	0.00	
Equipment	\$ -	\$0.00	0.00	
Training	\$ -	\$0.00	0.00	
Exercise	\$ -	\$0.00	0.00	
Planning	\$ -	\$0.00	0.00	
<b>COLUMN TOTALS</b>	\$ -	\$ -	\$ -	

I certify that to the best of my knowledge and belief, this request is correct and complete and that all requests are for the purposes set forth under the terms of the federal and state assurances, program regulations, grant guidance and approved projects. BOTH SIGNATURES REQUIRED.

Signature - Project Manager	Date
Signature - Fiscal Agent	Date

For Approving Agency Use:

Approved or Denied:	Reason If Denied:
Approving Agency:	
Signature - Approving Authority	Approval/Denial Date

# INSTRUCTIONS

for Project Management Forms

State of Nevada - Department of Public Safety  
Division of Emergency Management

Description and application. This set of forms is designed for reporting and management of grant-funded projects. The Quarterly PROGRESS Report, Quarterly FINANCIAL Report and Project CHANGE REQUEST forms meet grant management requirements of the federal Department of Homeland Security (DHS), Department of Energy (DOE) and state Division of Emergency Management (DEM) for project reporting and change request. Use of these forms is required for Homeland Security Grant Program (HSGP), Public Safety Interoperable Communications (PSIC), Interoperable Emergency Communications Grant Program (IECGP), Emergency Management Performance Grant (EMPG), Law Enforcement Terrorism Prevention Program (LETPP), Citizen Corps Program (CCP), Urban Area Security Initiative (UASI), Buffer Zone Protection Program (BZPP), Transit Security Grant Program (TSGP), Metropolitan Medical Response System (MMRS), Emergency Preparedness Working Group (EPWG), Waste Isolation Pilot Plant (WIPP) and FEMA Mitigation and Disaster grant-funded projects.

Projects and associated subgrant awards are identified in part by the "grant year" of the grant award. The quarterly report forms are used to report every quarter on project progress and financial expenditure as identified by this grant year.

Note that due to multiple federal grant program funding awards sometimes applied to a given project in a given grant year, there is not always a one-to-one relationship between PROGRESS and FINANCIAL Reports. One project, requiring one Quarterly PROGRESS Report, may incorporate more than one financial subgrant in the same grant year (for example, both SHSP and UASI awards) and therefore be linked to more than one Quarterly FINANCIAL Report. In other words, Quarterly FINANCIAL Reports are required for each federal grant funding program award (i.e. SHSP, UASI, LETPP, etc.), every quarter for each grant year, but Quarterly PROGRESS Reports are required only for each subgrantee project, every quarter, for each grant year.

Who must report: Any subgrant award recipient of the grant programs identified above is legally and contractually responsible for reporting on the subgrant-funded project. Quarterly reporting is required and specified in the "Assurances" agreement executed as part of grant funds acceptance. The Project Manager and Project Fiscal Agent, as designated by the appropriate authority for the respective project, are the individuals responsible for assuring this quarterly reporting requirement is met.

Deadline for Submission of Quarterly Reports: For both the Quarterly PROGRESS Report and Quarterly FINANCIAL Report, the deadline is not later than **5pm on the last working day of the month** following the report quarter. Submissions via postal service must be received by the above time and date. Please plan for postal service delivery time accordingly.

How to submit: Reports and requests must be submitted in printed 'hardcopy' form, with signature(s) and any additional supporting material required, to be considered valid. Reports and requests may be preliminarily submitted via email where there is a question or need for expedited response, however final submission must be with signature to be valid. Please note that for reimbursement of expenditures authorized in the subgrant(s), both the PROGRESS Report and the FINANCIAL Report(s) for the specific project must be received and validated by the administrative authority.

#### How to use.

In an effort to minimize the continuing time and effort required, it is suggested the forms be filled out initially, submitted and saved electronically as of the appropriate date, and thereafter **updated** and saved with appropriate file name change. Note that certain information will automatically transfer and sum as appropriate.

### **Quarterly PROGRESS Report**

The PROGRESS Report is a quarterly summary of grant project progress and status. It is used in conjunction with the FINANCIAL Report for purposes of project oversight and monitoring, audit and reimbursement, and by project participants for coordination and management. However, the PROGRESS Report is not meant to replace more detailed project reports that may be requested.

DESCRIPTION block. Enter appropriate information for the subject Project. Note that the PROJECT NAME must be exactly the same as the project name on the approved grant application/investment justification and associated subgrant award.

PROJECT COMPLETION block. Enter the task names (and a brief description if desired) from the associated Project Plan for this Project. Note that tasks as identified for the Project may differ from tasks/milestones originally developed for a grant application/investment justification. Tasks identified here can be as developed and identified in a Project Plan (A4.4 Project Schedule), which in turn must be traceable to and support the original IJ. For all Project tasks identified and entered, initially place a "0" for zero percent completion, but enter nothing (leave blank) all unused task lines. Once tasks and initial completion percentages are entered on the initial PROGRESS Report for the Project, electronically 'save' and then for subsequent reports just update individual task completion percentages as appropriate. Total Project completion will automatically calculate.

FUNDS EXPENDITURE block. Enter the initial fund amount(s) and Funding Job #(s) from the subgrant award(s) for the Project. Note there may be more than one subgrant associated with one project. Transfer from the associated FINANCIAL Report(s) the Unobligated Balance (line H) and enter.

MAJOR PROBLEMS, ACCOMPLISHMENTS, SCHEDULED COMPLETION and SUSTAINMENT blocks. Answer stated questions "Yes" or "No" in the associated blocks. Briefly describe status, circumstances and actions as appropriate.

SIGNATURE block. The PROGRESS Report must be signed by the Project Manager, and a copy provided

### **Quarterly FINANCIAL Report**

The FINANCIAL Report is a quarterly summary of grant project expenditure and funds commitment. It is used in conjunction with the PROGRESS Report for purposes of project oversight and monitoring, audit and reimbursement, and by project participants for coordination and management. The FINANCIAL Report references the subgrant award and Project Detailed Budget. It is not meant to replace more detailed budget spreadsheets that may be necessary for Project fiscal management.

TO DATE CUMULATIVE TOTALS block.

BUDGET, EXPENDITURES & COMMITMENTS BY CATEGORY block.

GRANT MATCH block. Enter grant match information here, only if applicable.

SIGNATURE block. The FINANCIAL Report must be signed by the Fiscal Agent, and a copy provided to the Project Manager.

### **PROJECT CHANGE REQUEST**

The Project Change Request is required to change, amend, or adjust the original Grant Funds Awarded from the Current Budget to new Requested Budget amounts. The scope of Work must not be altered or changed without an approved request for program modification. Supporting documentation in the form of the Original Budget with the line item detail showing debits and credits must be submitted with the Program Change Request.

#### **Things to Remember**

Requests for reimbursements must be made within 30 days of expenditures with proper backup.

Proper back-up documentation consists of: This Financial Report form, an itemized spreadsheet or list (showing grant number, category of expenditure, date of expense, description of expense, and amount of expenditure), invoices or bills, and proof of payment.

1st, 2nd, 3rd quarter reports are due 30 days following the end of a quarter. 4th quarter (final) reports are due 60 days following the end of the last quarter.

**HOMELAND SECURITY GRANT PROGRAM (HSGP)  
FFY 2012**

**LINE ITEM DETAIL BUDGET**

<b>Agency Name</b>	<b>Project Manager Name &amp; Contact #</b>	<b>Grant Manager Name &amp; Contact #</b>
<b>IJ TITLE: Project Name:</b>		
<b>One Budget Per Funding Stream</b>		

Line #	CATEGORY	DETAIL DESCRIPTION	Purchase Type	Previous Funding Type	QUANTITY	UNIT COST	TOTAL	AEL/Ret #	Funding Source
<b>SHSP</b>									
1	Personnel	Positions Require: How Many, Type, Max Amount of Time 12 mo, New, Existing & Description of Position. All personnel must be put under this category, please indicate each line with planning, organization, training or exercise.	New	DHS Federal		\$ -	\$ -		SHSP/UASI
2			Select Type			\$ -	\$ -		
3	Personnel Sub-Total		Select Type			\$ -	\$ -		
4	Planning		New			\$ -	\$ -		SHSP
5			Select Type			\$ -	\$ -		
6	Planning Sub-Total		Select Type			\$ -	\$ -		
7			Select Type			\$ -	\$ -		
8	Organization	Please see your grant guidance to determine the use of this category	Select Type			\$ -	\$ -		
9			Select Type			\$ -	\$ -		
10	Organization Sub-Total		Select Type			\$ -	\$ -		
11	Equipment	The complete sequence of Approved Equipment List (AEL) is required, please go to www.rtb.us for complete listing	Select Type			\$ -	\$ -		
12			Select Type			\$ -	\$ -		
13	Equipment Sub-Total		Select Type			\$ -	\$ -		
14	Training	All training in this category must be coordinated with the State/UASI Training Officer. Training must have a FEMA/DHS approved course number or must be approved under the three-iteration rule	Select Type			\$ -	\$ -		
15			Select Type			\$ -	\$ -		
16	Training Sub-Total		Select Type			\$ -	\$ -		
17	Exercise	All Exercises must be HSEEP compliant and coordinated with the State/UASI Exercise Officer	Select Type			\$ -	\$ -		
18			Select Type			\$ -	\$ -		
19	Exercise Sub-Total		Select Type			\$ -	\$ -		
<b>Budget Detail Totals</b>							\$ -		\$ -

**Homeland Security Grant Program  
Spending Plan For FFY2008-2011**

One form for each grant award

**Investment Justification Name**  
Project Name  
Project Description

**Funding**

Year  
Source  
SHSP, UASI etc

**Sub Award Information**

Sub-Grantee Name  
Fiscal Mgr Name & Phone #  
Program Mgr Name & Phone #  
Address  
City/State/Zip

**Performance Period Requirements**

<b>Federal Year</b>	<b>Grant End Date</b>	<b>SAA End Dates</b>
FFY 2008	8/31/2012	9/30/2012
FFY 2009	8/31/2012	9/30/2012
FFY2010	As stated on your award	7/31/2013
FFY2011	As stated on your award	8/31/2014

<b>Funding Year</b>	<b>Grant Award</b>	<b>De-Obligation</b>	<b>Total Funds</b>
	\$	\$	\$
	Spent	Authorized by:	Remaining Funds
		Date	\$

**Spending Plan Narrative**

(Instructions: All funding must be spent by the grant end date stated above, the spending plan must include in the narrative that each sub-grantee understands all funds which cannot be spent by the dates list. MUST be de-obligated within this document for re-allocation, an approved budget forecast in excel on the approved HSGP budget template must be attached as backup to the



BRIAN SANDOVAL  
GOVERNOR

STATE OF NEVADA  
DEPARTMENT OF ADMINISTRATION  
PURCIVISION

515 East Musser Street, Suite 300  
Carson City, Nevada 89701  
Phone (775) 684-0170 • Fax (775) 684-0188

Purchasing Use Only:  
#

ANDREW K. CLINGER  
Director

GREG SMITH  
Purchasing Administrator

## SOLICITATION WAIVER REQUEST FORM

1. a. Identify State agency and the contact person's name, title, telephone number and email address for this request:
- b. Vendor contact information:
- c. Type of waiver requested:  Sole or single source  Professional Service Exemption
2. Description of work/services to be performed or commodity/good to be purchased:
3. Describe the unique qualification required for the service or good to be purchased:
4. Explain why this service or good cannot be competitively bid; if an emergency purchase please justify:
5. What are the potential consequences to the State of Nevada if the waiver request is denied and the service or good is competitively bid:
6. What market research was conducted to substantiate that there is no competition for the service or good? Please include an evaluation of other items considered, and provide documentation.
7. How did your agency determine that the price/cost is fair or reasonable absent a competitive solicitation?
8. What is the estimated value and length of the contract, amendment or request?
  - a. New contract Y  N
  - b. Amendment Y  N  Amendment No. \_\_\_\_\_  
{provide copy of previous waiver(s)}

hereby requests approval for

Requesting agency

Proposed vendor

to provide the service/good for the amount and term as described above.

By signing below I hereby certify that the information provided in this form is true and accurate to the best of my knowledge.

Signed:

X	
Agency Representative Initiating Request	Date
X	
Agency Head Authorizing Request	Date

In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada, State Purchasing has solicited a review of your request from another agency/entity. The signature below indicates that agency/entity has reviewed the information submitted. This signature does not exempt your agency from any other processes that may be required.

Signed:

X	
Reviewing Agency/Entity Signature	Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b) and NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Approving Authority:

X	
Administrator, Purchasing Division	Date

## FEDERAL ASSURANCES

The applicant hereby assures and certifies compliance with all Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-110, A-122, A-128, A-133, A-87; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common rule, that govern the application, acceptance and use of Federal funds for this Federally-assisted project. Administrative Requirements 44 CFR, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 2 CFR, Part 215, Institutions of Higher Education, Hospital and other Non-Profit Organizations. Cost Principles, 2 CFR, Part 225, State and Local Governments, 2 CFR, Part 220, Educational Institutions, 2 CFR, Part 230 Non-Profit Organizations and Federal Acquisitions Regulations Sub-part 31.2, Contracts with Commercial Organizations. In addition, the applicant assures and certifies that:

- I. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- II. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
- III. It will comply with provisions of Federal law, which limit certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)
- IV. It will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act.
- V. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- VI. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
- VII. It will comply with all requirements imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
- VIII. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
- IX. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
- X. Environmental and Historic Preservation Compliance. FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA funding. FEMA, through its Environmental 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, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898).



- a. Any project with the potential to impact EHP resources (see Section E.8) cannot be initiated until FEMA has completed its review. The sub-grantees shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements.
  - b. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives. For certain, types of projects, FEMA must consult with other Federal, state and local 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 Federal, State, Local and Tribal Nations agencies and organizations responsible for protecting natural and cultural resources.
  - c. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA's EHP review and consultation may result in a substantive agreement between the involved parties outlining how the sub-grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Because of the potential for significant 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.
  - d. Sub-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.
  - e. Failure of the sub-grantee to meet Federal, State, and local EHP requirements, obtain applicable 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.
- XI.** It will comply, and assure the compliance of all its sub-sub-grantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable Federal laws, orders circulars, or regulations.
- XII.** It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
- XIII.** It will comply, and all its sub-grantee and contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR, Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR, Part 35 and Part 39.
- XIV.** Services to limited English proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VII 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.

- a. To ensure compliance with Title VII, 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.
  - b. 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. For additional information, see <http://www.lep.gov>. 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.
  - c. Executive Order #13347, entitled "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.
  - d. Executive Order 13347 requires the Federal government to, among other things, encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.
  - e. FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws: Guidelines for Accommodating Individuals with Disabilities in Disaster: The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field.
    - i. Guidelines are available at , <http://www.fema.gov/oer/reference/>
    - ii. Disability and Emergency Preparedness Resource Center: A web based "Resource Center" that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities can be found at, <http://www.disabilitypreparedness.gov>
    - iii. Emergency Planning for Persons with Disabilities and Special Needs: <http://www.LLIS.gov>
- XV. In the event a Federal or state court or Federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
- XVI. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.
- XVII. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
- XVIII. Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the 2008 DHS Appropriations Act, all FY 2008 grant funds must comply with the following two requirements:
- a. None of the funds made available through shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
  - b. None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).
- XIX. HSPD-5 requires that Federal agencies tie Federal preparedness funding eligibility directly to progress on **NIMS implementation**. Inability to demonstrate compliance with required NIMS implementation activities could affect Federal preparedness funding at any level of government – state agency, county, local jurisdiction or department. Those receiving, or planning to receive, Federal preparedness funding from any Federal sources should examine the applicable grant guidance to determine eligibility requirements.
- VICTIMS PROTECTION ACT OF 2000**
- XX. Implements section 106(g) of the trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. 7104 (g)).

**CLASSIFIED NATIONAL SECURITY INFORMATION**

**XXI.** "Classified national security information" as defined in the 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.

**TRANSPARENCY ACT**

**XXII.** As of October 1, 2010, all Federal agencies are to initiate sub-award reporting pursuant to P.L. 109-282 of the Federal Funding Accountability and Transparency Act. This includes an implementation policy to require the collection and reporting on sub-award data, improvement to the data quality of Federal Awards and enhancement of technological capabilities of the USAspending.gov.

As the duly authorized representative of the applicant for Place Jurisdiction name here, I hereby certify that the applicant will comply with the above assurances and certifications.

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\*Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate

## **FEDERAL CERTIFICATIONS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Signature of this form provides for compliance with certification requirements under 28 CFR, Part 69, "New Restrictions on Lobbying" and 28 CFR, Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when determination is made to award the covered transaction, grant, or cooperative agreement.

### **I. LOBBYING**

1. As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR, Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR, Part 69, the applicant certifies that:
  - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting 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 the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
  - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting 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 this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
  - c. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.
  - d. The sub-grantee 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 the Federal awarding agency. Under this Federal certifications section, (I) Lobbying, section d this clause is considered a special condition.

### **II. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR, Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR, Part 67

1. The applicant certifies that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a state or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
  - b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
  - d. Have not within a three-year period preceding this application had one or more public transactions (Federal, state, or local) terminated for cause or default; and
2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### **III. DRUG-FREE WORKPLACE (SUB-GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR, Part 67, Subpart F, for sub-grantees, as defined at 28 CFR, Part 67

1. The applicant certifies that it will or will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Sub-grantees workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an on-going drug-free awareness program to inform employees about
    - i. The dangers of drug abuse in the workplace;
    - ii. The Sub-grantees policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
    - i. Abide by the terms of the statement; and
    - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - e. Notifying the agency, in writing, within 10 calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Department of Homeland Security. Notice shall include the identification number(s) of each affected grant;
  - f. Taking one of the following actions, within 30 calendar days of receiving notice with respect to any employee who is so convicted
    - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency;
  - g. Making a good faith effort to continue to maintain a drug-free workplace.

### **IV. NON-SUPLANTING CERTIFICATION**

This certification affirms that 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 sub-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.

#### **VICTIMS PROTECTION ACT OF 2000**

- V. Implements section 106(g) of the trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. 7104 (g)).

#### **CLASSIFIED NATIONAL SECURITY INFORMATION**

- VI. "Classified national security information" as defined in the 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.

**TRANSPARENCY ACT**

VII. As of October 1, 2010, all Federal agencies are to initiate sub-award reporting pursuant to P.L. 109-282 of the Federal Funding Accountability and Transparency Act. This includes an implementation policy to require the collection and reporting on sub-award data, improvement to the data quality of Federal Awards and enhancement of technological capabilities of the USAspending.gov.

As the duly authorized representative of the applicant for Place Jurisdiction name here, I hereby certify that the applicant will comply with the above assurances and certifications.

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\* Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate

**NEVADA DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF EMERGENCY MANAGEMENT  
GRANT FINANCIAL AND PROGRAM ASSURANCES**

These assurances are to specify the requirements for State, Local, Indian Tribal Governments, higher education, hospitals, and other non-profit organizations while performing the administrative functions for any Federal grant funds. The applicant hereby assures compliance with the following conditions as part of the Notice of Grant Award:

**I. FEDERAL SINGLE AUDIT**

1. Sub-grantees shall comply with the Federal Single Audit Act (31 U.S.C. par., 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the sub-grantee must have an annual audit conducted in accordance with OMB Circular A-133 if the sub-grantee expends more than \$500,000 from Federal Awards. If the sub-grantee has expended more than \$500,000 in Federal dollars, a copy of the subrecipient's audit report for the previous fiscal year must be submitted to the Nevada Department of Public Safety for review within the earlier of 30 days after receipt of the auditor's report(s), or 13 months after the end of the audit period, unless a different period is specified in a program-specific audit guide. Unless restricted by law or regulation, the auditee shall make report copies available for public inspection.
  - a. Required documentation for the performance of internal audits must be provided to the Division of Emergency Management (NDEM) upon request within 30 days. Grant closeout is contingent upon the NDEM audit and resolution of any discrepancies. Any non-submission of required internal audit documentation could result in the delay or non-payment of reimbursement requests, the deobligation of remaining Federal funds and/or jeopardize your eligibility to receive further Federal funding through NDEM.
2. Sub-grantees who expend less than the required \$500,000 under the Federal Single Audit Act (31 U.S.C. par., 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), which is incorporated into this agreement by reference, will provide to the State of Nevada Department of Public Safety uncertified financial statements, (financial statements without the opinion of an independent external auditor) including notes and a schedule of expenditures of Federal awards for sub-grantees fiscal year end, signed by the Sub-grantees executive management within the earlier of 30 days after receipt of the financial report(s), or nine months after the end of the reporting period.
3. Grant revenue and expenditure records and supporting documentation must be maintained and made available upon request by the State Division Internal Audit, Legislative Council Bureau and the NDEM or any other entity as required by law to audit the sub-grantee. The sub-grantees are required if requested to respond to auditors inquiries, as required by the State of Nevada Administrative Manual (SAM) 3000, <http://nevadabudget.org/index.php/publications/sam/18-3000>

**II. FISCAL RESPONSIBILITY**

1. Financial management must comply with the requirements of OMB Circular A-102 or 2 CFR, Part 215 (A-110), whichever is applicable to sub-grantees organization, and which are incorporated into these assurances by reference.
2. All grant expenditures are to be reasonable and allowable in accordance with 2 CFR, Part 220 (A-87), 2 CFR, Part 225 (A-122) or 2 CFR, Part 230 (A-122), whichever is applicable to your organization, and which are incorporated into these assurances by reference.
3. **Sub-Grantees are required to adhere to the Department of Public Safety, Division of Emergency Management, and Office of Homeland Grant Management Guide.**
4. Payment made by the NDEM to the sub-grantee shall be on a reimbursement basis only and is conditioned upon receipt of applicable, accurate and complete reimbursement and match supporting documentation to be submitted by the sub-grantee. All payments will be contingent upon receipt of all fiscal and programmatic reports required of the sub-grantee under these assurances.

- a. Supporting documentation shall include, but is not limited to, invoices, documented program/project deliverables, travel claims, payment vouchers, proof of payment (clearing documents), payroll reports, staffing/volunteer timesheets, contracts, bid/procurement process documentation, lease agreements, agendas, meeting attendance documentation, training documentation, After Action Reports (AAR), Authorized Equipment Lists (AEL), Central Contractor Registry (CCR), Excluded Parties Listing (EPLS) and must be cross-referenced to approved budgets.
  - b. All equipment requested must be on the approved equipment list (AEL) (using the most current AEL from grant year and grant program that you are requesting/expending grant funds, please see [www.rkb.us](http://www.rkb.us)). The NDEM will not reimburse for any equipment purchased which is not identified on the AEL list and/or not on the approved Budget Detail Matrix.
5. The sub-grantee is aware of and shall comply with the cost-sharing requirements of the Federal grant program (if applicable).
- a. Match supporting documentation must be kept in the same manner as reimbursement supporting documentation for grant funds and meet the following criteria for costs to be eligible as match:
    - 1. The costs must be allowable under the grant program.
    - 2. The costs must be in compliance with all Federal requirements and regulations (*i.e.*, 44 CFR, Part 13 and 2 CFR, Part 215, Part 225, Part 230 and OMB Circular A-102 as applicable to your organization).
    - 3. The costs must be reasonable, allowable, allocable, and necessary.
    - 4. The following documentation is required for third-party cash and in-kind contributions, but is not limited to: Record of donor; Dates of donation; Rates for staffing, equipment or usage, supplies, etc.; Amounts of donation; and Deposit slips for cash contributions. According to 44 CFR § 13.24, this documentation is to be held at the applicant and sub-applicant level.
    - 5. Except as provided by Federal statute, a cost sharing or matching requirement may not be met by costs borne by another Federal grant or Federal funding.
    - 6. The source of the match funds must be identified in the grant application.
    - 7. Every item must be verifiable, *i.e.*, tracked and documented.
    - 8. Any claimed cost share expense can only be counted once.
6. Sub-grantees will comply with the FEMA/Grant Programs Directorate policy regarding the use of preparedness grant funding for sustainment costs. Grant funds may be used to cover only those maintenance agreements, user fees, and other sustainment costs provided during the grant performance period in which the device was purchased.
7. Sub-grantees may not use future year preparedness grant funding to pay for additional agreements and user fees, please refer to IB 336. All ongoing expenses after the performance period has expired are the responsibility of the grantee/sub-grantee and will not be paid for with FEMA preparedness grant funding.
- a. Sub-grantees may use FEMA preparedness grant funding to pay for maintenance agreements, user fees, and other sustainment costs as long as:
    - 1. The equipment was purchased with FEMA preparedness grant funding.
    - 2. The sustainment costs fall within the performance period of the grant that was used to purchase the equipment.
  - b. Sustainment costs are eligible under the equipment category unless the equipment is M&A related (grants management equipment).



### **III. FISCAL REPORTING RESPONSIBILITY**

1. Quarterly financial reports (QFR) with supporting documentation shall be submitted to the NDEM within 30 days, but no later than 45 days following the close of each quarter of the sub-grant period. A QFR is required every quarter regardless if the QFR equals a zero dollar amount. The final financial report must be submitted to the NDEM no later than 45 days following the end of the grant performance period. If the sub-grantee has requested an extension the report must be submitted no later than 15 days after the last day of the approved extension. Sub-grantees may not obligate funds at the end of extension and use the SAA's close out period to submit reports/expenditures unless extenuation circumstances exist and the approval is issued in writing to the sub-grantee. Late reports, unless approved by the NDEM, could delay reimbursement or result in non-payment of the claim. All forms used for reporting are provided by the NDEM. Reimbursement will be made by the NDEM in a first come first serve basis. Every effort will be made by the NDEM to ensure reimbursements will be made timely. The submission of inaccurate or incomplete information with unapproved reporting documentation and/or templates will result in the rejection of the quarterly report.

As applicable for grant programs, reports consist of, but are not limited to:

- a. Division of Emergency Management Quarterly Financial Report
  - b. Quarterly Progress Summary
  - c. Program Narrative
  - d. Approved Detailed Budget (or approved Vulnerability Reduction Purchase Plan, VRPP)
  - e. Quarterly Project Plan/Work Plan (*EMPG*).
  - f. NDEM reserves the right to deny any reimbursement as we are the fiduciary agency responsible for the management and administration of the federal grant funds.
  - g. Compliance with HSGP Reobligation Guidelines (effective August 18, 2011). Please see attached for the complete copy of the Guidelines.
2. Sub-grantee understands that, except for extraordinary circumstances that will be handled on a case-by-case basis, requests to transfer funds between budget categories or requests to purchase items not previously authorized will not be approved. Written approval must be obtained from the NDEM prior to the transfer of funds between budget categories or the expenditure of funds for newly identified items. All requests must be submitted to the NDEM on the approved Project Change Request form. The Project Change Request form must be accompanied by, but is not limited to, a Revised Budget Detail Matrix and written justification.
  3. It is the responsibility of all sub-grantees to know and adhere to the Nevada Revised Statute (NRS) and the United States General Services Administration (GSA) or their own established policies whichever is more restrictive regarding travel and per diem rates. The submission of travel must include the following and must adhere to the following.
    - a. Travel claim signed by the traveler with all receipts such as, hotel, parking, shuttle, taxi, rental car to include additional fuel cost, conference fee invoice, flight invoice, internet search map for mileage reimbursement, formal or informal agenda from the inviting agency.
    - b. Travel will not be reimbursed if the request exceeds the GSA rate found on [www.gsa.gov](http://www.gsa.gov) NDEM will reimburse the maximum lodging rates with a receipt and the prorated taxes on that amount only.
    - c. Rental cars will only be considered if necessary with documented justification. For example the venue is located offsite and it would cost more for taxi, shuttle etc., a rental car is allowable. Rental cars are to be used solely for business travel.
    - d. Travel must be accomplished by the least expensive mode practicable; NDEM may request additional information if not provided at the time of submission for reimbursement.
    - e. Meals provide by conference fees or other means such as invitational travel must deduct meals provided from the per diem rate.
    - f. Traveler will only be allowed 75% of the per diem for the first and last day of travel unless the sub-grantee submits a more practical and approved process.
    - g. Travelers must travel at a minimum of a 50 mile radius outside of their duty station or their

home/departure whichever is closer to their destination to be reimbursed for per diem and lodging. Travelers may request mileage and parking if they are within the 50 mile radius of their duty station.

- h. Cancellation fees will not be reimbursed unless a justification is submitted to NDEM for review and approval.
- i. Travel as well as all grant expenditures must adhere to the following:
  - Reasonable** - A prudent person would have purchased this item and paid this price. A cost may be considered reasonable if the nature of the goods or services, and the price paid for the goods or services, reflects the action that a prudent person would have taken given the prevailing circumstances at the time the decision to incur the cost was made.
  - Allocable** - Expenses can be allocated to the federal grant or contract activity based on benefit derived, cause and effect, or other equitable relationship.
  - Consistently Treated** - Like expenses must be treated the same in like circumstances.
  - Allowable** - Permitted as a direct cost under the terms of a specific grant or contract.
- j. NDEM reserves the right to deny any reimbursement as we are the fiduciary agency responsible for the management and administration of the federal grant funds.

#### IV. **FUNDS MANAGEMENT**

- 1. The sub-grantee must maintain funds received under these assurances in separate ledger accounts and cannot mix these funds with other sources. The sub-grantee must manage funds according to applicable Federal regulations for administrative requirements, costs principles and audits.
- 2. The sub-grantee must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained include, but are not limited to: Financial Management, Procurement, Personnel, Equipment, Property and Travel.
- 3. A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.
- 4. The sub-grantee must follow the Department of Public Safety, Division of Emergency Management Contracting and Procurement Grant Guidance dated April 19, 2011. The sub-grantee must follow CFR 44 Part 13 section 4, regarding sole source procurement. All sole sourcing requests over \$100,000 must be approved prior to procurement or a sub-grantee contractual agreement. The approval must be issued by the SAA and FEMA/DHS.
- 5. Compliance with HSGP Reobligation Guidelines (effective August 18, 2011). Please see attached for the complete copy of the Guidelines
- 6. **Sub-Grantees are required to adhere to the Department of Public Safety, Division of Emergency Management, and Office of Homeland Grant Management Guide.**
- 7. NDEM reserves the right to deny any reimbursement as we are the fiduciary agency responsible for the management and administration of the federal grant funds.

#### V. **PROGRAM RESPONSIBILITY**

- 1. Quarterly program reports with supporting documentation shall be submitted to the NDEM within 30 days, but no later than 45 days following the close of each quarter of the grant performance period. The final Program Report must be submitted to the NDEM no later than 60 days following the end of the grant period. Late reports, unless approved by the NDEM, could delay reimbursement. Late reports, unless approved by the NDEM, could result in non-payment of the claim. All forms used for reporting are provided by the NDEM. The submission of inaccurate or incomplete information and unapproved documentation will result in the rejection of the Quarterly final report.

As applicable for grant programs, reports consist of, but are not limited to:

  - a. Division of Emergency Management Quarterly Financial Report
  - b. Quarterly Progress Summary
  - c. Program Narrative
  - d. Approved Detailed Budget
  - e. Quarterly Project Plan
- 2. A completed Project Plan form shall be submitted to NDEM prior to issuance of any sub-grant.
  - a. The project plan must clearly document all individual projects, milestones, tasks, deliverables and

timelines and must support and be traceable to the approved Budget Detail Matrix and the federally approved Investment Justification.

- b. Late submission could result in delay of reimbursement, and failure to comply could result in non-payment of reimbursement claims.
3. The Program Narrative for exercises shall address the following required elements of the Nevada Exercise Program (*contact the NDEM for the Nevada Exercise Program instructions if applicable to your program*): All training funded by DHS grants must be pre-approved by the State NDEM Training Officer. Requests for the use of Homeland Security Grant Program (HSGP) funding in support of training programs/and or individual requests must be coordinated and approved by: Your local jurisdiction, your county (Emergency Manager) or designated Training Coordinator, the State Administrative Agency(SAA) Nevada Division of Emergency Management and the SAA Training Point of Contact (TPOC). The jurisdiction/ or individuals must obtain this approval prior to any commitment for any requested training utilizing Homeland Security funds. Detailed instruction and forms are attached.
  - a. Annual participation in the Training and Exercise Plan Workshop (TEPW) to collaborate with all agencies in the development, planning and implementation of the Multi-Year Exercise and Training Plan (MYTEP) regarding training and exercise types, dates, locations, target capabilities, and/or Federal funding.
  - b. Each county-level jurisdiction will identify a National Exercise Schedule (NEXS) point of contact that will serve as the Exercise Scheduler. The county-level Scheduler will be responsible for the submission of all required exercise information to the NEXS website. This requires approval by the State Exercise Officer.
  - c. Electronic submission of the AAR/IP to the NDEM within 60 days of the conduct of the exercise utilizing the DHS-approved format and process.
    1. One hard copy of the AAR/IP shall be submitted to the NDEM Exercise Training Officer and one electronic copy of AAR/IP shall be submitted via the DHS Secure Portal in the Nevada Folder with an email notifying in writing the State of Nevada Exercise Training Officer of the submission.

## **VI. EQUIPMENT MANAGEMENT**

Effective control and accountability must be maintained for all equipment acquired with Federal funds. The sub-grantee must adequately safeguard all such equipment and must assure that it is used solely for authorized purposes as described in the guidance. The sub-grantee will use, manage, and dispose of such property in accordance with 44 CFR, Part § 13.32.

1. As required by 44 CFR Ch I, § 13.32 Equipment, the NDEM, for compliance monitoring purposes as policy for all state agency sub-grantees equipment/asset management internal controls/policies and procedures will follow the regulatory compliance of the Nevada State Administrative Manual 1544.0, NRS 354.625 and NRS 333.220, which applies a state mandated \$5,000.00 per unit threshold.
2. As required by 44 CFR Ch I, § 13.32 Equipment, all other Local, Indian Tribal Governments, higher education, hospitals, and other non-profit sub-grantees for compliance monitoring purposes as policy will follow the regulatory compliance of 44 CFR Ch I, § 13.32 which applies a Federally mandated \$5,000.00 per unit threshold.
3. Accurate records maintained on all acquisitions and dispositions of property acquired with Federal awards.
4. Federally funded equipment records must contain description (including serial number or other identification number), source, who holds title, acquisition date and cost, percentage of Federal participation in the cost, location, condition, and disposition data.
5. Property tags are placed on equipment.
6. At a minimum, a physical inventory of the Federally funded property must be taken and reconciled with the property records at least once every two years in accordance with 44 CFR, Part § 13 or by jurisdictional regulation or guidance.
7. Procedures established to ensure that the Federal awarding agency is appropriately reimbursed for dispositions of property acquired with Federal awards.
  - a. When the equipment is no longer needed, the grantee or sub-grantee will request disposition instructions from the Federal agency through the SAA

- b. Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency, however when ever possible the equipment should be retained and used or transferred to be used within the same general scope of work which it was originally paid under.
  - c. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the Federal awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's share (*the Federal percentage of participation*) of the equipment.
8. Policies and procedures in place for responsibilities of recordkeeping and authorities for disposition.

**VII. SUB-GRANTEE MONITORING**

The sub-grantee agrees to participate in NDEM's annual monitoring visits and to follow up and take corrective action on all identified non-conformances and observations with action, which includes, but is not limited to, the submission and implementation of corrective action plans to the NDEM.

- 1. The sub-grantee is responsible for follow-up and corrective action on all non-conformances and observations with action from the NDEM.
- 2. The sub-grantee shall prepare a corrective action plan(s) for identified non-conformances and observations with action.
- 3. The sub-grantee will implement the approved corrective action plan(s) for non-conformances and observations with action.

**VIII. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL**

- 1. Any publication, invention, patent, photograph, negative, book, drawing, record, document, or other material prepared by the sub-grantee in the performance of its obligations under this grant shall be the exclusive property of the State of Nevada and all such material shall be returned to the State upon completion or termination of this grant.
- 2. Whenever possible equipment, real property, public service announcements, etc., should reflect, "made possible by the Nevada Department of Public Safety Division of Emergency Management and paid for by FEMA/DHS."

**IX. INDEMNIFICATION**

- 1. Sub-grantee agrees to indemnify, save and hold the state, its agents and employees harmless from any and all liability, claims, actions, damages, losses, and expenses, including without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts of omissions of this agreement by sub-grantee, its agents or employees.

**X. CONFIDENTIALITY OF RECORDS**

- 1. If this grant funds any form of written or visual material that identifies employees of the NDEM, prior approval must be obtained from the NDEM before publishing or finalization.

**XI. ASSIGNMENT AND DELEGATION**

- 1. The sub-grantee shall neither assign, transfer nor delegate any rights, obligations or duties under this Notice of Grant Award without prior approval of the NDEM, which includes sub-sub granting funds without prior knowledge or approval of NDEM.

**XII. DEBARMENT CERTIFICATION**

- 1. The sub-grantee agrees to comply with the Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions".

**XIII. CONTRACTORS**

- 1. The sub-grantee may enter into a written contract(s) for products and/or services pertaining to its functions under the grant award in accordance with terms established in the State of Nevada procurement policy, OMB Circulars, the DHS Financial Management Guide, and the DHS Program Guides.
- 2. The sub-grantee agrees and understands that no contract or agreement that the sub-grantee enters into with respect to performance under the grant award shall in any way relieve the sub-grantee of any responsibilities for performance if its duties.
- 3. The sub-grantee must follow the Department of Public Safety, Division of Emergency Management Contracting and Procurement Grant Guidance dated April 19, 2011. The sub-grantee must follow the CFR 44 Part 13 section 4, regarding sole source procurement. All sole sourcing requests over \$100,000 must be approved prior to procurement or a sub-grantee contractual agreement. The approval must be issued by the

SAA and FEMA/DHS.

4. All contracts and or procurement will follow the open and free competitive bid process.

**XIV. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

1. The Department of Homeland Security released the National Incident Management System (NIMS) as required by Homeland Security Presidential Directive (HSPD) 8 Management of Domestic Incidents and Preparedness. HSPD-5 established and designated the National Integration Center (NIC) Incident Management Systems Division as the lead Federal entity to coordinate NIMS compliance.
2. To be eligible to receive grant funding, applicants must meet NIMS compliance requirements. State, Territory, Tribal, and local governments are considered to be in full NIMS compliance if they have adopted and/or implemented compliance activities, as determined by the National Incident Management System Capability Assessment Support Tool (NIMSCAST) or other accepted means. Additional information on achieving compliance is available at <http://www.fema.gov/emergency/nims/>

**XV. APPLICABLE FEDERAL REGULATIONS**

The sub-grantee must comply with the Office of Management and Budget (*OMB*) Circulars and other Federal guidance including but not limited to:

1. Grant Program Guidance issued by the U.S. Department of Homeland Security, at <http://www.fema.gov/government/grant/index.shtml>
2. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at [http://www.whitehouse.gov/omb/circulars\\_a133/](http://www.whitehouse.gov/omb/circulars_a133/)
3. OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments, at [http://www.whitehouse.gov/omb/circulars\\_a102/](http://www.whitehouse.gov/omb/circulars_a102/)
4. 2 CFR, Part 215, Uniform administrative requirements for grants and agreements with institutions of higher education, hospitals, and other non-profit organizations (*OMB A-110*), at <http://www.whitehouse.gov/omb/assets/omb/circulars/a110/2cfr215-0.pdf>
5. 2 CFR, Part 220, Cost Principles for Educational Institutions (*OMB A-21*), at [http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105\\_a21.pdf](http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a21.pdf)
6. 2 CFR, Part 225, Cost Principles for State, Local, and Indian Tribal Governments (*OMB A-87*), at [http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105\\_a87.pdf](http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a87.pdf)
7. 2 CFR, Part 230, Cost Principles for Non-Profit Organizations (*OMB A-122*), at [http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105\\_a122.pdf](http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a122.pdf)
8. 44 CFR, Part 13, Emergency Management and Assistance, at [http://www.access.gpo.gov/nara/cfr/waisidx\\_08/44cfr13\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/44cfr13_08.html)
9. U.S. Department of Homeland Security Authorized Equipment List (AEL) available at <https://www.rkb.us/mel.cfm?subtypeid=549>

**XVI. Environmental Historical Preservation (EHP)**

The all sub-grantees will follow the EHP requirements set forth by the Federal granting agency. The sub-grantee will not undertake any project having the potential to impact Environment and Historical Preservation (EHP) resources without the prior written approval of the Federal granting agency, including but not limited to ground disturbance, construction, modification of structures, and purchase and use of sonar equipment. Sub-grantees must comply with all conditions placed on the project as a result of the EHP review. Any change to the approved project scope of work will require a re-evaluation for compliance with these EHP requirements.

Any construction or renovation activities defined by the SAA's office that have been initiated without the necessary EHP review and approval will result in a non-compliance funding and will not be eligible for Federal funding.

Construction includes the following and requires EHP approval:

1. Training and Exercises
2. Purchase of Equipment
3. Physical Security Enhancements

4. Renovation/Upgrades, Modifications to exiting structures (which include drywall, paint, carpet or any modifications to existing structure etc.)
5. New Construction or New Additions
6. Communication Towers and related equipment, equipment shelters
7. Other activities that may apply under the EHP section

Please see the link provided for IB 371 Environmental Historical Review Process [http://www.fema.gov/doc/government/grant/bulletins/info329\\_final\\_screening\\_memo.docx](http://www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.docx)

**XVII. TERMINATION**

The NDEM retains the right to terminate this sub-grant, for cause, at any time before completion of the grant period when it has determined that the sub-grantee has failed to comply with the conditions of these assurances.

1. The NDEM reserves the right to terminate the grant in whole or in part due to the failure of the sub-grantee to comply with any term or condition of the signed and agreed upon assurances, failure to implement audit/monitoring recommendations within the prescribed period of time, failure to communicate with or respond to any State Administrative Agency (SAA) request or communication, to acquire and maintain all required insurance policies, bonds, licenses, permits and certifications or to make satisfactory progress in performing the program, financial and administrative requirements of the grant.
2. The NDEM staff shall provide written notice of the termination and the reasons for such actions to the sub-grantee.
3. The NDEM may, upon termination of the award, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under the award. The sub-grantee shall be liable to the NDEM for any excess costs incurred by the NDEM in procuring materials or services in substitution for those due from the sub-recipient.

As the duly authorized representative of the applicant for Place Jurisdiction name here, I hereby certify that the applicant will comply with the above assurances and certifications.

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

- Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate