



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2010

**URBAN SEARCH & RESCUE PROGRAM
MODIFICATION**

GUIDANCE AND APPLICATION KIT

JANUARY 2010



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: 97.025 National Urban Search And Rescue (US&R) Response System

Funding Opportunity Number: DHS-10-DOD-025-000-01

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

Announcement Type: Modification to January 2010 Guidance: increase in available funding.

Dates: Completed application must be submitted **no later than 11:59 PM ET, August 30, 2010.**

Additional overview information: N/A

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PART I.

FUNDING OPPORTUNITY DESCRIPTION

The U. S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) maintain a high level of accountability and provide support and funding to maintain the readiness of the National Urban Search & Rescue Response System. The purpose of this funding opportunity is to establish yearly Cooperative Agreements with the 28 State and local emergency management Sponsoring Agencies currently designated by FEMA as members of the National Urban Search and Rescue (US&R) Response System.

The Cooperative Agreement funding will assist the US&R Response System resources to be prepared for mission response and provide qualified personnel in support of Emergency Support Function-9 (ESF-9) activities under the National Incident Management System (NIMS) and the National Response Framework (NRF). Specifically, these Cooperative Agreements will provide a mechanism for distribution of Cooperative Agreement funding to prepare the 28 designated Task Forces for US&R disaster response, including response to incidents involving weapons of mass destruction (WMD) that would require a limited hazmat capability for the core structural collapse mission, National Special Security Events (NSSE) or other designated disasters or emergencies. US&R Task Force Sponsoring Agencies are directed to use the funding to meet the following objectives: provide task force administration and management, training, equipment cache procurement, and maintenance and storage.

PART II.

AWARD INFORMATION

Only the 28 State and local Sponsoring Agencies currently designated by FEMA as members of the National US&R Response System are eligible for applying for these operations and maintenance project Cooperative Agreements. Applications and budget plans will be reviewed by the DHS US&R Program Office and Grant Programs Directorate. Any issues or concerns noted in the application will be negotiated with the successful applicant prior to the award being issued. The substantial involvement is provided under Part VIII Other Information, Article VII, DHS/FEMA/US&R Program Office Responsibility.

Authorizing Statutes

Homeland Security Act of 2002, as amended, 6 U.S.C. §§ 101 *et seq.*; Section 634 of the Post-Katrina Emergency Management Reform Act of 2006, 6 U.S.C. § 722; Sections 303, 306, 403 and 621 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. §§ 5144, 5149, 5170b, and 5197; and 44 CFR Part 208.

Period of Performance

The period of performance for the Cooperative Agreements is 18 months. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. The period of performance is anticipated to be May 01, 2010 thru October 31, 2011.

Available Funding

In FY 2010, the total amount of funds distributed under the Cooperative Agreements will be \$29,720,800. The amount of funding per award will range between \$1,045,500 and \$1,102,300. Cooperative Agreement Awards will be made "Subject to the Availability" of FY 2010 Funds.

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

Only the 28 State and local Sponsoring Agencies currently designated by FEMA as members of the National US&R Response System are eligible for applying for funding for these operations and maintenance project Cooperative Agreements.

National Incident Management System Implementation Compliance

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

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

To be eligible to receive FY 2010 Cooperative Agreement funding, applicants must meet NIMS compliance requirements. See Part VIII, Other Information, Article VIII, A.13 for NIMS information. The NIMSCAST will be the required means to report FY 2010 NIMS compliance for FY 2010 award eligibility. Each Sponsoring Agency Task Force will deal with NIMSCAST thru their State requirements.

B. Cost Sharing

There is no required cost sharing, matching, or cost participation for the FY 2010 US&R Cooperative Agreements.

C. Restrictions

This Cooperative Agreement may not be used for funding new capital construction. However, costs associated with leasing, upgrading, minor renovations and modifications of existing warehouse facilities that do not change the footprint of the structure are permitted. Refer to Part VIII, Other Information for further guidance.

PART IV.

APPLICATION AND SUBMISSION INFORMATION

A. Address to Request Application Packages

Only the 28 National DHS/FEMA designated Task Force Sponsoring Agencies are eligible to apply.

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

Application forms and instructions are available at [grants.gov](http://www.grants.gov). To access these materials, go to <http://www.grants.gov>, select “Apply for Grants,” and then select “Download Application Package.” Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select “Download Application Package,” and then follow the prompts to download the application package. To download the instructions, go to “Download Application Package” and select “Instructions.”

B. Content and Form of Application

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

The application must be completed and submitted using www.grants.gov after Central Contractor Registration (CCR) is confirmed. The on-line application includes the following required forms and submissions:

- Standard Form 424, Application for Federal Assistance
- Standard Form 424 A, Budget Information (Non-construction)
- Standard Form 424 B, Standard Assurances (Non-construction)
- Standard Form LLL, Disclosure of Lobbying Activities
- Grants.gov (GG) Lobbying Form, Certification Regarding Lobbying
- FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is “National Urban Search and Rescue (US&R) Response System Cooperative Agreement Program”. The CFDA number is **97.025**. When completing the application, applicants should identify their submissions as new, non-construction applications.

- 1. Dun and Bradstreet Data Universal Numbering System (DUNS) number.** The applicant must provide a DUNS number with their application. This number is a required field within www.grants.gov and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.
- 2. Valid CCR Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through www.grants.gov.

C. Submission Dates and Times

Completed applications must be submitted through grants.gov **no later than 11:59 PM ET, August 30, 2010**. Additional information and instruction will be provided.

D. Funding Restrictions

DHS grant funds may only be used for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement.

Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award.

This Cooperative Agreement may not be used for funding new capital construction. However, costs associated with leasing, upgrading, minor renovations and modifications of existing warehouse facilities that do not change the footprint of the structure are permitted. Refer to Part VIII, Other Information for further guidance.

PART V.

APPLICATION REVIEW INFORMATION

A. Review Criteria

The applications will be reviewed to ensure the items listed have costs that are reasonable, allowable, and allocable to the program. Any questions will be submitted to the applicants for discussion. This is not a competitive program.

B. Review and Selection Process

The applications will be reviewed by the US&R Program Office and the Grant Programs Directorate, and the awards will be made by the Grant Programs Directorate Assistance Officers.

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

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

C. Anticipated Announcement and Award Dates

FEMA will evaluate the applications upon receipt, and all the Cooperative Agreements will be awarded on or before September 30, 2010. Congressional Notification is required prior to FEMA issuing awards in excess of \$1M.

PART VI.

AWARD ADMINISTRATION INFORMATION

A. Notice of Award

Upon approval of the applications, the Cooperative Agreements will be awarded to the grantees (the 28 designated FEMA US&R Sponsoring Agency recipients). The date that the documents are signed is the “award date.” Once an award has been approved, a notice is sent to the authorized grant official. Follow the directions in the notification to accept your award documents. The authorized grant official should carefully read the award and special condition documents. If you do not receive a notification, please contact your FEMA Program Office for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option three, to obtain the username and password associated with the new award.

The period of performance is 18 months and begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be de-obligated at the end of the close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the expiration of the period of performance and must address:

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

B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of the award, and the approved application.

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

1.1 -- Administrative Requirements.

- 44 CFR Part 13, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
- 2 CFR Part 215, *Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations* (OMB Circular A-110)

1.2 -- Cost Principles.

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

1.3 -- Audit Requirements.

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

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

2. Payment. DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form, found at <http://www.fms.treas.gov/eft/1199a.pdf>.

FEMA utilizes The Department of Health and Human Services, Division of Payment Management, Payment Management System, SmartLink to transfer funds between FEMA and Grantees.

2.1 – Advance Payment. In accordance with Treasury regulations at 31CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds (See 44 CFR Part 13.21(i)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.

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

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

4. Technology Requirements.

4.1 – National Information Exchange Model (NIEM). FEMA requires all grantees to use the latest NIEM specifications and guidelines regarding the use of Extensible Markup Language (XML) for all grant awards. Further information about the required use of NIEM specifications and guidelines is available at <http://www.niem.gov>.

4.2 – Geospatial Guidance. Geospatial technologies capture, store, analyze, transmit, and/or display location-based information (i.e., information that can be linked to a latitude and longitude). FEMA encourages grantees to align any geospatial activities with the guidance available on the FEMA website at <http://www.fema.gov/grants>.

4.3 – 28 CFR Part 23 Guidance. FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*, if this regulation is determined to be applicable.

5. Administrative Requirements.

5.1 -- Freedom of Information Act (FOIA). FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, all determinations concerning

the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

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

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

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

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

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

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions.* – Prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act*, as amended, 41 U.S.C. §701 et seq. – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension.* – Executive Orders 12549 and 12689 provide protection from fraud, waste, and abuse by debarment or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see 2 CFR Part 3000.
- *Federal Debt Status.* – The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include

delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129) (Refer to SF-424, item number 17.)

- *Hotel and Motel Fire Safety Act of 1990.* – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

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

5.5 – Integrating individuals with disabilities into emergency planning.

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

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

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

- Project location (i.e., exact street address or map coordinates)
- Total extent of ground disturbance and vegetation clearing
- Extent of modification of existing structures
- Construction equipment to be used, staging areas, etc.
- Year that any affected buildings or structures were built
- Natural, biological, and/or cultural resources present within the project area and vicinity, including wetlands, floodplains, geologic resources, threatened or endangered species, or National Register of Historic Places listed or eligible properties, etc.
- Visual documentation such as good quality, color and labeled site and facility photographs, project plans, aerial photos, maps, etc.
- Alternative ways considered to implement the project (not applicable to procurement of mobile and portable equipment)

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

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

Recipients shall not undertake any project without the prior approval of FEMA, and must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project description will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify their FEMA Program Office, and the appropriate State Historic Preservation Office. Any projects that have been initiated prior to approval will result in a non-compliance finding and will not be eligible for funding.

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

C. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance under Part VIII Other Information, Article IX Reporting and the special conditions found in the award package for a full explanation of these requirements). Any reports or documents prepared as a result of this grant shall be in compliance with Federal "plain English" policies, directives, etc.

- 1. Federal Financial Report (FFR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which replaced the SF-269 and SF-272, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the performance period.

FFRs must be filed according to the schedule below:

FFRs must be generated through SmartLink and uploaded to GMS

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

2. Progress Reports.

Programmatic reporting requirements are identified in Part VIII Section IX of this document.

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

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

4. Monitoring.

Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Programmatic monitoring may also include the Regional Federal Coordinators, when appropriate, to ensure consistency of project investments with Regional and National goals and policies, as well as to help synchronize similar investments ongoing at the Federal, State, and local levels.

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

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

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

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

PART VII.

FEMA CONTACTS

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

2. **US&R Program Office.** The Points of Contact from the US&R Program Office for Program Questions are:

Catherine Deel: (202) 646-3796
Email: Catherine.deel@dhs.gov

Marilynn Grim: (202) 646-4251
Email: Marilynn.grim@dhs.gov

3. **GSA's State and Local Purchasing Programs.** The U.S. General Services Administration (GSA) offers two efficient and effective procurement programs for State and local governments to purchase products and services to fulfill homeland security and other technology needs. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term, indefinite delivery, indefinite quantity, government-wide contracts with commercial firms of all sizes.

- **Cooperative Purchasing Program**
Cooperative Purchasing, authorized by statute, allows State and local governments to purchase a variety of supplies (products) and services under specific GSA Schedule contracts to save time, money, and meet their everyday needs and missions.

The Cooperative Purchasing program allows State and local governments to purchase alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services off of Schedule 84 and Information Technology products and professional services off of Schedule 70 and the Consolidated Schedule (containing IT Special Item Numbers) **only**. Cooperative Purchasing for these categories is authorized under Federal law by the *Local Preparedness Acquisition Act* (Public Law 110-248) and Section 211 of the *E-Government Act of 2002* (Public Law 107-347).

Under this program, State and local governments have access to GSA Schedule contractors who have voluntarily modified their contracts to participate in the Cooperative Purchasing program. The U.S. General Services Administration provides a definition of State and local governments as well as other vital information under the frequently asked questions section on its website at <http://www.gsa.gov/cooperativepurchasing>.

- Disaster Recovery Purchasing Program

GSA plays a critical role in providing disaster recovery products and services to Federal agencies. Now State and Local Governments can also benefit from the speed and savings of the GSA Federal Supply Schedules. Section 833 of the *John Warner National Defense Authorization Act for Fiscal Year 2007* (Public Law 109-364) amends 40 U.S.C. §502 to authorize GSA to provide State and Local governments the use of ALL GSA Federal Supply Schedules for purchase of products and services to be used to *facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or to facilitate **recovery** from terrorism or nuclear, biological, chemical, or radiological attack.*

GSA provides additional information on the Disaster Recovery Purchasing Program website at <http://www.gsa.gov/disasterrecovery>.

State and local governments can find a list of contractors on GSA's website, <http://www.gsaelibrary.gsa.gov>, denoted with a  or  symbol.

Assistance is available from GSA on the Cooperative Purchasing and Disaster Purchasing Program at the local and national levels. For assistance at the local level, visit <http://www.gsa.gov/csd> to find a local customer service director in your area. For assistance at the national level, contact Tricia Reed at tricia.reed@gsa.gov, (571) 259-9921. More information is available on all GSA State and local programs at: www.gsa.gov/stateandlocal.

Note: FEMA has spoken with GSA regarding the use of Disaster Recovery Purchasing by National Urban Search and Rescue System Task Forces to repair and replace items in the standard equipment cache. Since any anticipated response by a US&R Task Force would involve recovery from a Stafford Act event, terrorism, or nuclear, biological, chemical, or radiological attack, Task Forces are permitted to use Disaster Recovery Purchasing *both before and after* an event has occurred, even if there is no immediately anticipated event. Task Forces are not permitted to use Disaster Recovery Purchasing for items that are intended solely for use during training exercises, as such activities do not directly aid recovery efforts.

PART VIII.  **FEMA**
OTHER INFORMATION

National Urban Search and Rescue Response System

US&R Task Force FY 2010 Readiness Cooperative Agreement

I. PURPOSE

The U. S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) are accountable to provide support and funding for the maintenance and readiness of the National Urban Search and Rescue (US&R) Response System. The purpose of this **Readiness Cooperative Agreement** is to support the continued development and maintenance of a national urban search and rescue capability.

Specifically, this agreement provides a mechanism for distribution of Cooperative Agreement funding for certain purposes in preparation for US&R disaster response. This Cooperative Agreement allows each Sponsoring Agency of a US&R Task Force the opportunity to maintain a high standard and condition of operational readiness and includes guidance on key areas for Task Force management to focus on continued preparedness efforts.

This cooperative agreement provides direction to the US&R Task Force Sponsoring Agency for the use of funding to provide: administrative and program management, training, support, equipment cache procurement, maintenance and storage.

II. BACKGROUND

DHS/FEMA, in cooperation with other Federal, State and local agencies created the National US&R Response System to provide a national rescue capability that provides lifesaving resources to victims of structural collapse. When this system was developed in 1990, there was limited capability in only a few States to perform this mission and no resources were available for a coordinated national response.

In 1992, the Federal Response Plan (FRP) was published by FEMA and coordinated activities with 26 Federal agencies. The Federal government's response to disasters was classified into 12 Emergency Support Functions (ESF). ESF-9, Urban Search and Rescue, was established with FEMA as the Primary Agency. FEMA maintains a national consensus on standard operating procedures, organizational structure, equipment, training and exercise requirements. Currently, 28 state and local

Sponsoring Agencies in 19 states participate in the National US&R Response System by making their Task Forces available for national disaster response.

DHS/FEMA had no organic heavy rescue capability of its own and realized the best sources for US&R knowledge and skills reside at the State and local level. The National US&R Response System was developed and continues as a Federal–State–local partnership, based on a Memorandum of Agreement (MOA) and individual Response and Readiness Cooperative Agreements. While the MOAs provide the basic operational “**Agreement**” between DHS/FEMA, the State and Sponsoring Agency, the individual Readiness Cooperative Agreement provides the mechanism for distributing Federal funds to the Sponsoring Agencies of the 28 US&R Task Forces for continued readiness efforts.

In December 2004, the National Response Plan (NRP) was published by DHS which integrates the Federal Response Plan into the NRF. NRP has since been updated in January 2008 and is now referred to as the National Response Framework (NRF). At this time, ESF-9 was expanded to include urban, water-borne, wide area, aerial, and land-based search and rescue.

III. DHS/FEMA OBJECTIVES

DHS/FEMA, through the National US&R Program Office and Grant Programs Directorate, shall:

1. Provide oversight and funding to US&R Sponsoring Agencies to manage and administer Task Force affairs and activities in accordance with accepted standard business practices.
2. Provide oversight and funding to train and exercise Task Force members and other National US&R Response System personnel to safely perform assigned US&R duties in accordance with established FEMA/US&R approved standards and guidance.
3. Provide oversight and funding to acquire and maintain the equipment in accordance with the US&R Equipment Cache List as approved by the FEMA US&R Program Office.
4. Provide oversight and funding for the lease of space to provide offices, training facilities and/or storage of vehicles and equipment, as needed.
5. Provide resources (e.g., staff, equipment, funding) to support readiness and standby activities, subject to availability of funds (e.g., catastrophic planning, technical assistance, mobilization exercises, etc.).
6. Provide a forum for discussion on strategic issues by hosting an annual Sponsoring Agency Chief/Head meeting with the DHS/FEMA Administrator, or designee.

IV. APPROVALS

Advance approval must be obtained in writing from both the US&R Program Office and the FEMA Grants Assistance Officer for the following (in accordance with Grants Management Policy and 44 CFR Part 13 and 2 CFR Part 215):

- Approval for activities or expenditures not identified in the Task Force narrative and budget, but are allowable within the scope of work for this Cooperative Agreement (i.e., budget changes);
- Requests for extension of the period of performance for this Cooperative Agreement
- Requests for spending Cooperative Agreement funds prior to the beginning of this period of performance (“pre-award costs”)

Unauthorized expenditures may be denied and required to be reimbursed to DHS/FEMA. Use of Cooperative Agreement funds provided through this agreement for any activity that occurs outside the United States and its territories, is prohibited unless authorized by the US&R Program Office, FEMA Grants Office and FEMA International Affairs prior to incurring costs for the activity.

V. APPLICABLE LAWS AND POLICIES/ORDER OF PRECEDENCE

This award is subject to the laws and regulations of the United States. This Cooperative Agreement incorporates the terms and requirements of any applicable Agency policies and all US&R Program Directives issued by the US&R Program Office, including those issued during the term of this Cooperative Agreement.

Any inconsistency or conflict in terms and conditions specified in the award will be resolved according to the following order of precedence: public laws, regulations (including the US&R Interim-Final Rule at 44 CFR Part 208), applicable notices published in the Federal Register, Executive Orders, OMB Circulars, agency award conditions, the terms and conditions of the Sponsoring Agency’s Memorandum of Agreement with FEMA, applicable DHS and FEMA policies, and US&R Program Directives.

Some of the terms and conditions contained herein may contain, by reference or substance, a summary of the pertinent statutes, regulations, Executive Orders, or OMB Circulars. To the extent that it is a summary, such provision is not in derogation of, or an amendment to, any such statute, regulation, Executive Order, or OMB Circular.

VI. COOPERATIVE AGREEMENT FUNDING

The FY 2010 Cooperative Agreements basic total for each Task Force is \$1,041,900. The US&R Program Office recommended and/or required allocations are outlined in

Appendix A of this document. Additional funds allocated to specific Task Forces are outlined in Appendix B and C of this document.

Each Task Force can apply for up to the amount allocated to their agency as shown in Appendix B. All Sponsoring Agencies must submit supporting documentation with each application.

The Period of Performance for the FY 2010 US&R Readiness Cooperative Agreement funding is 18 months and is specifically identified in the Agreement Articles. Each Task Force should submit budget plans covering only 12 months for salary expenses, lease costs and scheduled training costs within the period of performance. However, the 18 month performance period is available for internal acceptance of funds and procurement of equipment and supplies.

VII. DHS/FEMA/US&R PROGRAM OFFICE RESPONSIBILITY

1. Review, approve, and adopt US&R-related products, including technical manuals, operational procedures, training curriculum and supporting manuals, meeting agendas and other requirements for the National US&R Response System.
2. Coordinate and support meetings relating to the National US&R Response System activities, to develop and implement policies, procedures and US&R System documents.
3. Establish and disseminate policy and Program Directives for the National US&R Response System based on 44 CFR Part 208 and with substantial involvement and input from the partner sponsoring agencies and their members.
4. Determine annual funding levels for readiness activities.
5. Purchase equipment and deliver to US&R Task Forces, based on need and available funding.
6. Review and/or approve expenditure reports, performance reports, personnel records, training records, Task Force self-evaluation documents, equipment cache and excess property inventories and other deliverables required by the US&R Program Office.
7. Review and approve/disapprove in writing, in conjunction with the Grants Assistance Officer, any cost deviations or budget revisions from those prescribed in this agreement or from other DHS/FEMA established policies.
8. Implement the policy, criteria and procedure for Task Force evaluations. Distribute an annual Task Force self-evaluation survey with a 90-day submission

suspense, on or about March 1st, for completion by the Task Forces. Conduct a cooperative peer-based operational readiness evaluation program.

9. Track, disseminate, and consistently update the status of Operations and Work Group recommendations to all System components.
10. Based on available funding, the US&R Program Office may activate Task Forces for activities associated with scheduled NSSEs. Task Forces activated under this section will be notified in advance, through written activation orders that will provide authorization for travel and to carryout activities of the required operations. Prior to any activities under this section, the US&R Program Office will request cost estimates from identified Task Forces. This item would be funded separately from annual Cooperative Agreement funding, but could be either an amendment to this Cooperative Agreement or the Response Cooperative Agreement.

VIII. SPONSORING AGENCY RESPONSIBILITY AND REQUIREMENTS

Under this Readiness Cooperative Agreement, the Sponsoring Agency shall use funding to prepare the Task Forces under the following categories: Administration/Management, Training, Equipment, and Storage/Maintenance.

A. ADMINISTRATION AND MANAGEMENT

1. Provide sufficient staff for management and administration of the US&R Task Force day-to-day activities. This staff shall be responsible for program management, grants management, financial management, administrative support, training coordination and instruction, logistics management and property accountability. These management responsibilities include, but are not limited to, Task Force salaries and expenses coordination; record-keeping; inventory and maintenance of the US&R Equipment Caches; communicating with Task Force members and parties who support Task Force activities; and similar management and administrative tasks.
2. Purchase equipment necessary to administer the Task Force. These items may include but are not limited to, laptop and desktop computers, cellular telephones/wireless PDAs, printers, scanners, copy machines, office furniture, etc.
3. Recruit, train and maintain a roster of personnel to enable complete staffing of a Type I US&R Task Force. Positions shall be staffed from within the Task Force organization, unless prior approval is given by the Program Office. The rostered staffing level shall be a maximum 210 personnel, plus up to 10% allowable staffing overage, to address attrition, IST members, etc. The Task Force shall pursue the goal to roster the minimum of 140 deployable personnel; two deep at each of the positions required for a Type I configuration.

4. The Task Force shall equip, train, and maintain CBRNE/Hazmat assets to prepare the Task Force for limited hazmat capability for the core structural collapse mission.
5. Ensure each Task Force member meets the necessary license, certification or other professional qualification requirements of their assigned position. Further ensure that the Task Force has the documentation on file to verify this information.
6. Task Force may use funds to cover salary and travel for product research and development efforts, when authorized by the US&R Program Office who will coordinate with the Grant Programs Directorate, subject to available funding. This may be authorized to keep apprised of cutting edge technology for equipment used within the System.
7. Task Force may use funds to cover salary and travel to enable Task Force personnel to collaborate with Federal, State, or other entities (e.g., other US&R system asset(s), emergency responders) to enhance the capabilities of the US&R system.
8. Ensure Task Force is prepared for ongoing OREs and completes an internal self-evaluation operational readiness and preparedness survey as provided by the National US&R Program Office. The completed electronic copy of the self-evaluation shall be submitted to the US&R Branch Chief by June 1, or as otherwise directed by the US&R Program Office.
9. Submit to DHS/FEMA Program Office the following items on one compact disk (CD) by June 1st:
 - a. A current database of Task Force Personnel, in a format provided by the Program Office
 - b. A current US&R Task Force Equipment cache database in a Microsoft Access-compatible database format. This database shall include both equipment caches.
 - c. A current Time-Phased Force Deployment Data (TPFDD) Form (“Aircraft Loading Data”), in a format provided by the Program Office.
10. Ensure funds are properly allocated, accounted for, and reported for those Task Force members who serve as the Operations Group Chair, Work Group Chairs, Sub-Group Chairs and Task Force Leader Representatives, as appropriate and authorized by the US&R Program Office,. These funds are intended to defray personnel salary, backfill, travel and other administrative costs associated with these positions for assigned Task Forces in accordance with Appendices C and D.
11. Ensure timely reporting of expenditures for readiness activities carried out under this agreement and timely delivery of Cooperative Agreement reporting. Refer to Section IX, Reporting.

12. As funding allows, ensure personnel salaries and expenses relating to Task Force administration, development and training preparedness activities are paid in accordance with established Sponsoring and Participating Agency policies/practices and in a timely manner, but no later than 120 days after completion of a training exercise. Appropriate personnel records shall be kept in accordance with 44 CFR Part 13 (FEMA's codified version of OMB Circular A-102), and 2 CFR Part 215 (OMB Circular A-110).
13. Compliance with the NIMS is a condition for award of this Cooperative Agreement as outlined in Homeland Security Presidential Directive 5, Managing Domestic Incidents. Sponsoring Agencies must comply with the NIMS Implementation Activities established annually by FEMA. Sponsoring Agencies must report NIMS compliance activities in accordance with State and local NIMS guidance. Additionally, a certificate of completion for each required course must be located in each US&R task force member's personnel file for each required course. The following independent study courses are required for all task force members: IS-100, IS-200, IS-700 and IS-800. State offered NRF NIMS or equivalent certificates may be substituted for those courses offered on the FEMA NIMS website provided they meet Federal NIMS standards. For further information on compliance and guidance, refer to the following website: <http://www.fema.gov/emergency/nims/index.shtm>.
14. Attend DHS/FEMA-sponsored or DHS/FEMA-approved US&R meetings, conferences, and training sessions, to include Task Force Leader meetings, the 12 standing US&R Work Groups, Operations Group, Ad Hoc Work Groups and Sub-Groups, IST training/meetings, workshops, Sponsoring Agency Chief/Head Meetings or others as directed by the US&R Program Office as they relate to the National US&R Response System. Other activities include on-site peer ORE of other Task Forces, quality assurance oversight of FEMA-sanctioned training courses, training with other Task Forces, grants management training, SUSAR Alliance meetings and activities, and research and development for equipment, as directed by the US&R Program Office. The US&R Program Office is allocating certain funds as identified in Appendix A for travel. All travel funds shall be accounted for under Management and Administration and/or Training at the Task Force level.
15. Provide complete medical evaluations and immunizations to as many Task Force members as possible (as defined by the US&R Medical Work Group). Medical screening should be conducted, at a minimum, on a triennial basis for each Task Force member. The medical evaluation shall become part of their personal medical record. Please refer to US&R Program Directive 2005-008 or successor, Task Force Medical Screening or a more current directive issued by the US&R Program Office.

B. TRAINING

1. Provide US&R-related or US&R-required training for Task Force personnel, including the delivery of local US&R training courses or other courses specifically required by the US&R Position Descriptions or the US&R Program Office.
2. As funding permits, conduct at least one Task Force mobilization or deployment exercise during the Cooperative Agreement period of performance. Task Force is encouraged to exercise as many Task Force members as possible during this cooperative agreement.
 - a. A Federal Task Force deployment during the period of performance would satisfy this requirement, as long as the Activation Order is filed with the Cooperative Agreement.
 - b. Non-Federal Task Force deployments could satisfy this requirement, but must be authorized by the Program Office in writing.
 - c. If a Task Force is deployed, those funds originally set aside for a deployment exercise may then be used for other US&R approved items within the same budget category. This change must be addressed in their Semi-Annual Performance Report. A budget change is only required when funds are moved to another program budget category.
3. Submit an after-action report within 90 days of the completion of a mobilization or deployment exercise or a training activity with duration of more than 24 consecutive hours. Send the report to the attention of the US&R Branch Chief and written in a format where lessons learned may be shared with other task forces in the National US&R Response System.
4. Ensure training and exercise activities of the Task Force meet National US&R Response System standards, requirements and certifications. Ensure training records for all Task Force personnel are kept in a central, secure location.
5. Provide funding for expenses related to the acquisition, maintenance, training and certification of US&R Canine Search Teams. This statement is not related to the funding provided to host Canine Evaluations.
6. When authorized, ensure funds are distributed in support of Task Forces hosting a Canine Evaluation, as stated in accordance with Canine Evaluation schedules identified in **Appendix F**. When funding for the Canine evaluations exceeds actual costs, the excess allocated funds may be redirected to other US&R Program activities that support the Task Force's Canine program under Item 5. If remaining funds are used to cover costs under Section VIII, A, Item 14, include items and their cost in their Semi-Annual Performance Report submission.
7. Provide third party Grants Management Training to assigned Task Force Grant Managers and Assistants who have not previously attended training. Grant Management Training is mandatory for all US&R Grants Managers and Assistants. Grant Management Training is optional, but highly recommended, for

US&R Program Managers and other key personnel assigned to US&R administrative duties. Personnel should attend training from a facility that provides a "Grants Certificate Program" and/or the US&R Grant Manager Course. The Task Force shall submit information regarding the program or classes to the Grants Assistance Officer for written approval prior to registering or attending any classes. The Grants Assistance Officer may be contacted for further information on classes offered. Examples of some Grants Management courses offered are as follows:

- a. Managing Federal Grants and Cooperative Agreements for Recipients,
- b. Uniform Administrative Requirements: OMB Circular A-102 and 2 CFR Part 215
- c. Cost Principles: 2 CFR Part 220 (A-21), 225 (A-87), 230 ((A-122), and FAR 31.2
- d. Applying for Federal Grants and Cooperative Agreements
- e. How to Prepare the Application Budget
- f. Business Management Systems for Recipients
- g. Audit of Federal Grants and Cooperative Agreements.

Every effort shall be made to attend continuing education by Task Force Grant Managers and Assistants during the cooperative agreement to stay current with regulation updates/changes.

8. Provide Microsoft (MS) Access database and MS Excel training, as needed to US&R Logistics and Program Management personnel to maintain personnel, equipment, grant, financial and accountability records. Program Managers are authorized to use readiness funding to provide "beginner", "intermediate" and "advanced" MS Access Database and MS Excel training to Program Management personnel.

C. EQUIPMENT

1. The Sponsoring Agency is authorized to purchase equipment as listed in the most current approved **DHS/FEMA Task Force Equipment Cache List**. Task Force personnel are reminded and directed not to exceed quantity caps (per cache) as listed on the cache list and the current manufacturer's suggested retail price (with documentation), unless prior approval is received by the US&R Program Office. Task Forces must follow Sponsoring Agency procurement regulations, which are in accordance with 44 CFR Part 13 or 2 CFR Part 215 to ensure reasonable prices are obtained. Special consideration is given to Task Forces to purchase other equipment items in support of training, administrative, and warehouse/maintenance needs. Any other equipment not specified above can only be purchased after receiving written approval from the Program Office.
2. When funding is provided, ensure that funds are made available to purchase and maintain medical response kits for the IST Medical Officer assigned to the Task Force identified in **Appendix C**.
3. Specific Task Forces are also identified and provided funds in the amount of \$20,000 covering costs to maintain the IST "B" and "C" cache. Cooperative

Agreement regulations apply to these funds and shall not be transferred to a Participating Agency.

4. **All equipment must be tracked as to its origin.** Equipment that is procured with this Cooperative Agreement funding shall be identified with the source, cache list number and Cooperative Agreement number, in accordance with 44CFR, Part 13 or 2 CFR Part 215. Additionally, Federal equipment shall be properly identified as to the ownership and funding source (including Agency name and Cooperative Agreement number or Disaster/contract number). The tracking can be accomplished through procurement documents, through fields in a database, or spreadsheet. It is the responsibility of each Task Force to develop a method of tracking in accordance with this section. However, it should be a system that will easily and quickly identify the information. Additionally, all procurement records and receipts should be cross-referenced and coded with the Cooperative Agreement number, cache list item number, Statement of Work section, or source of origin, or a system to easily and quickly identify the information.
5. No transportation equipment is authorized for purchase as part of this Cooperative Agreement unless authorized by the US&R Branch Chief and Grants Assistance Officer in writing.
6. Equipment and prime mover vehicles purchased with Federal funds or provided by DHS/FEMA shall be for the use of the US&R Program and **shall not be used for normal day-to-day operations of the Sponsoring or Participating Agency.** However, this requirement does not preclude the Sponsoring Agency from using this equipment or vehicles on a local, regional or State disaster response or under other exceptional circumstance. The US&R Branch Chief shall be notified immediately in writing of any exceptional use of the two US&R Equipment Caches that diminish the response capability of the Task Force. The Sponsoring Agency is responsible for replacement, re-supply and or repair of equipment used or consumed during activities not associated with the National US&R Response System and return to an immediate state of readiness.
7. **Task Forces are not authorized to purchase equipment with funds authorized through the DHS/FEMA Assistance to Firefighters Grant Program.** However, this does not prevent the Sponsoring Agency from applying to the DHS/FEMA Assistance to Firefighters Grant Program for other costs or items not associated with the US&R Program.
8. Title for the original cache, vehicles, and all equipment purchased under the Cooperative Agreements reside with the Task Forces (44 CFR Part 13).
9. Title to the new DHS (i.e., "Second Cache") Equipment Cache purchased and distributed to the Task Forces by FEMA resides with DHS/FEMA.
10. Title for any equipment purchased under this Cooperative Agreement directly by a Task Force shall reside with the Task Force.

11. Should the Task Forces transfer, sell, or scrap any of the equipment and/or vehicles, they are required to first ask for prior written approval and disposition instructions from the US&R Program Office and Grants Assistance Officer for all Federally-furnished equipment and all grant-purchased equipment with a single item value over \$5,000 (in accordance with 44 CFR 13.32(e) and FEMA Manual 6150.1, dated July 1996, or current edition at time of disposition).
12. For the purpose of accountability and safety, US&R Task Forces are authorized to purchase an ID System, as long as they meet the requirements outlined in US&R Program Directive 2006-019 – Accountability and Medical Information Cards.

D. MAINTENANCE AND STORAGE

1. Maintain an accountability of property acquired under Cooperative Agreement funding, distributed Federal property and acquired Federal Excess Property. Provide an annual report to DHS/FEMA on the status of Federal property each year, as part of the database submittal to the US&R Program Office Branch Chief. Conduct an inventory of Federal property and property acquired under Cooperative Agreement funding, in accordance with 44 CFR Part 13 or 2 CFR Part 215.
2. Provide manufacturer's recommended maintenance and repair to US&R equipment acquired and specifically identified on the DHS/FEMA approved US&R Equipment Cache Lists. Also, provide maintenance and repair to any supplemental equipment as approved by DHS/FEMA, which was purchased with DHS/FEMA funding and delivered to the Task Forces, purchased during a US&R field response, or was acquired with DHS/FEMA approval through the Federal Excess Property Program. Task Forces are expected to perform routine maintenance of equipment to maintain a state of readiness.

3. As part of the operational readiness of each Task Force, all US&R equipment shall be maintained in an immediate state of readiness in a cache storage facility or facilities. This may include planning and engineering and other costs for development, maintenance, and/or lease of storage facilities and associated equipment for US&R equipment and supplies. Any costs for upgrades to existing warehouse facilities associated with this funding must be included in the budget narrative or submitted as a budget change and be approved by the Program Office and the Grants Assistance Officer prior to the start of any work. Task Force personnel are reminded, if they are relying totally on the Cooperative Agreement for funding leased warehouse space, they are not permitted to enter into agreements for longer than the Period of Performance of the Cooperative Agreement. However, contracts can be written with an available funds clause or “option” years for protection. This Cooperative Agreement may not be used for funding new capital construction. However costs associated with leasing, upgrading, minor renovations and modifications of existing warehouse facilities that do not change the footprint of the structure are permitted.
4. The day-to-day repair, maintenance, storage and administrative costs for all equipment purchased or provided by DHS/FEMA will be accomplished via this Cooperative Agreement funding provided and in accordance with the cost principles (2 CFR, Part 225). Refer to 2 CFR Part 225 or 2 CFR Part 230(Cost Principles) for specific guidance on purchasing insurance.

IX. REPORTING

The Sponsoring Agency shall use the following procedure for reporting. There are several types of reports required for this agreement. Refer to Appendix E for specific instructions and points of contact to submit all reports and deliverables.

A. REQUIREMENTS

1. **Task Force Self-Evaluation:** as identified in Section VIII, Subsections A.8 of this document is by June 1st (or when otherwise directed by the US&R Program Office).
2. **Personnel and Equipment Database CD submittal:** as identified in Section VIII, Subsections A. 9 and D. 1. Provide DHS/FEMA with an updated database of the Task Force Personnel and the US&R Equipment Cache in a Microsoft Access database program. Also provide a current Task Force Phased Deployment Data (TFPDD) Form, in a format provided by the Program Office. Copy files onto one CD and forward the disk to the US&R Program Office by overnight carrier. This CD shall be submitted with a cover letter addressed to the US&R Program Office Branch Chief by June 1st.

3. The **Semi-Annual Performance Report** is due to the DHS/FEMA US&R Readiness Cooperative Agreements Project Officer for the duration of this agreement and is a written report providing a narrative and expenditures, as explained below.
 - a. The Sponsoring Agency shall electronically send the first report semi-annually by January 30th (covering the time period of July 1st through December 31st) and the second by July 30th (covering the time period of January 1st through June 30th) of each year until the Cooperative Agreement is closed.
 - b. The Performance Report shall include Task Force accomplishments and the total budgeted, expenditures and balance for the Cooperative Agreement funding within the following areas:
Administration/Management, Training, Equipment, and Maintenance/Storage.
 - c. Performance Narrative and Funds Report (FEMA Form 089-11) shall be used.
 - d. All changes, whether requiring prior approval or not, shall be noted in the Performance Reports and closeout documents.
 - e. The Final Performance Reports are to be emailed to the US&R Program Office and DHS/FEMA Grants Management Branch. Addresses listed in Appendix E.
4. The Federal Financial Report (FFR) SF-425, also referred to as the quarterly financial report, is due within 30 days after each quarter ends. This form is accessible through the Department of Health and Human Services (HHS) SMARTLINK System and will be used in lieu of the PSC 272 forms. After completing SF-425 either manually or through SMARTLINK, the document must be printed, scanned, and emailed as a .PDF document through the Grant Management System (GMS). This report is required every quarter, thirty (30) days after the end of each quarter, including partial calendar quarters, whether funds are drawn or not from the Health and Human Services (HHS) SMARTLINK System. Future awards and fund draw downs may be withheld if these reports are delinquent. The quarters are separated as follows: October through December, January through March, April through June, and July through September.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

OMB has directed that the Federal Financial Report (FFR) SF-425 replace the use of the SF-269, SF-269A, SF-272, and SF-272A, which will no longer be available after October 1, 2009. The SF-425 is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government.

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

B. CLOSEOUT REPORTS

The scope of work approved for the Cooperative Agreement must be completed within the Period of Performance. The task force will have 90 days after the Period of Performance to complete the final payments, and prepare the closeout documents. If unable to complete the closeout process by the due date, the task force must contact the Grant Programs Directorate and Program Office to request an extension of the closeout period. At a minimum the following closeout documents must be submitted:

1. **Cover Letter** – Should address the closeout of the Cooperative Agreement and the number. Please note any items that are not applicable. If the equipment and/or supplies are maintained by the Task Force then they will need to include a statement that the equipment/supplies will be used for their intended purpose of the Cooperative Agreement, over the life cycle of the equipment/supplies.
2. **Final Performance Report** should include a summary of qualitative accomplishments that the Cooperative Agreement has made for the duration of the grant period. Quantitative data may be used to support any impact statements. The report should be broken out into the four (4) program categories: Administrative/Management, Training, Equipment, and Storage/Maintenance.
3. **Final Federal Financial Report (FFR):** A new FFR is provided as an attachment along with the instructions. A standard government-wide FFR (SF-425) is now required, in lieu of the FF20-10 or SF 269A (Short Form).

4. **Equipment Inventory:** This form is required if items purchased with Federal grant funds has a current fair market value of \$5,000 or higher, per single item must be reported (copy of form attached). If the Task Force does not have any items to report that meet the threshold, provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate the same information. Provide a statement expressing the intent to continue use of **Federally- Furnished Property for the Federal US&R Program, as noted in the most recent equipment CD submission.**
5. **Inventory of Unused or Residual Supplies** purchased with Federal grant funds, which in the aggregate exceed \$5,000 must be reported (copy of form attached). If the task force does not have any residual supplies in the aggregate that exceeds \$5,000, provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate the same information.
6. **Patent/Invention Disclosure**, if applicable (Form Attached). Provide a copy of the completed form if applicable. If the Task Force does not have any patents or inventions provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate such.
7. **Audit Requirements:** There are requirements and rights for audits pursuant to the Cooperative Agreement terms and conditions. All grantees must follow the audit requirements of OMB circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. The OMB Circular states that grantees who expend \$500,000 or more in Federal funds (from all Federal sources within their fiscal year) must have a single audit performed yearly in accordance with the circular. **If the Task Force falls under this category they must submit a copy of their Single Audit Report along with their Closeout Documentation.** In addition it is a requirement to send a copy of the Audit to the Single Audit Clearinghouse. The Single Audit Report is required to be reviewed during the closeout process. FEMA retains the right to negotiate any shortages or findings found in the audit reports, disallow costs and recover funds on the basis of an A-133 single audit, other audit or other review.
8. **Refund Checks:** If appropriate, a check should be made payable to FEMA to return any Federal funds drawn under the Cooperative Agreement but not expended. This may also include interest earned in excess of the allowable \$100 for State, Local, and Indian Tribal Governments, or \$250 for all others that are allowable for administrative expenses, or any other appropriate financial adjustment due FEMA, including Audit adjustments.
9. **Record Keeping/Retention:** Retain records pursuant to the grant conditions. Grant records should include a copy of the award document, grant agreement articles, ledgers, documentation of expenditures, documentation-copies of cancelled checks, paid invoices, payrolls, T&A records, contract records, etc. As a reminder all Single Audits must be completed covering the period of performance for the grant and all Single Audit Findings must be resolved prior to

the final closeout of the Cooperative Agreement. Upon completion of all required actions, the submission of all required items, and any appropriate financial adjustments and payments, FEMA will advise the Task Force in writing when the award can be considered closed out. This information must be kept for three years after the date of submission of the final closeout documents or later date if the sponsoring agency requires a longer record retention period. See 44 CFR 13 and 2 CFR 215 for further information about the items in this paragraph. It is generally three years from the submittal of the final closeout documents, but may be longer if there are audit findings or the audit covering the period of performance for the Cooperative Agreement has not been completed.

C. TIMELINES

1. **Task Force Self-Evaluation: on or about June 1st, or as directed by the Program Office (Task Forces shall return the forms 45 days after receipt from the Program Office)**
2. **Personnel and Equipment Database CD:** due June 1st to US&R Program Office *only*.
3. **Quarterly Federal Financial Report (FFR):** Submit the Federal Financial Report Form FFR (SF-425) quarterly, within 30 days after the quarter ends. (Due by January 30, April 30, July 30 and October 30). This form is accessible through the HHS SMARTLINK System.
4. The **Semi-Annual Performance Report:** due by January 30 and July 30 each year during the Period of Performance.
5. **Final Performance Report:** due to DHS/FEMA within 90 days after the Period of Performance expires.
6. The **Final Federal Financial Report (FFR), SF-425,** due within 90 days after the Period of Performance expires.
7. **Equipment Inventory and Inventory of Unused or Residual Supplies** due within 90 days after the Period of Performance expires.
8. **Final Payment/Unexpended Funds:** due within 90 days after the Period of Performance expires.

Task Forces must be current with all reports at the time of award of this Cooperative Agreement.

X. TIME IS OF THE ESSENCE

DHS/FEMA is providing an annual **Readiness Cooperative Agreement** and it is strongly recommended that the Sponsoring Agency seek expedited approval for the acceptance and management of the Cooperative Agreement. The US&R Program and Grants Offices acknowledge the time-sensitive nature of processing and awarding the Cooperative Agreement and will make every effort to expedite the process. The time frame provided by DHS/FEMA must be strictly adhered to. The U.S. Congress is closely scrutinizing the timely spending of Readiness Cooperative Agreement funds and failure to meet necessary requirements and time frames may result in the loss of funding for this and future Cooperative Agreement periods.

XI. PROCEDURE TO COMPLETE APPROVAL OF COOPERATIVE AGREEMENT

1. The US&R Program Office and Grant Programs Directorate will review the Task Force's Cooperative Agreement application. Once approved, the Grants Assistance Officer will send four copies of the obligating document, FEMA Form 40-21, to the Task Force Sponsoring Agency for signature. If the cooperative agreement is processed through the web-based Grant Management System (GMS), the documents will be available online.
2. The Task Force Sponsoring Agency is required to obtain the proper original signature on each document and return three signed FF 40-21 documents to the Grants Management Branch as instructed. Keep one signed original for Task Force records. Include a cover letter in an acceptable format when returning the FF 40-21.
3. The Task Force Sponsoring Agency is responsible for ensuring the original application package and subsequent FF 40-21 are signed and received by the Grants Management Branch deadlines. Please use the tracking number provided by overnight carrier to ensure timely delivery.

Appendices:

- A** Cooperative Agreement Funding – Recommended Allocations (Amended)
- B** Task Force Allocations and Budget Totals document (Amended)
- C** Administration Budget (Amended)
- D** List of Work Group Chairs (Amended)
- E** Summarized Spreadsheet of Deliverables
- F** US&R Annual Activity Calendar 2010 (Version 16)