Hem#9-4

City of Carson City Agenda Report

Date Submitted: June 19, 2009

Agenda Date Requested: July 2, 2009 Time Requested: Consent

To:

Mayor and Supervisors

From: Fire Department operations

Subject Title: Action to authorize staff to pursue a grant through (ARRA) American Recovery and Reinvestment Act-Assistance to Firefighters Fire Station Construction Grant, in the amount of \$993,106,18 for upgrades and addition to Fire Station #2. (Tarulli)

Staff Summary: The \$210 million (ARRA) grant is new for the Fire Service, and is designed to enhance our capabilities and improve response to hazards. If authorized to proceed with the grant application and staff is successful in obtaining the grant, upgrades and additions to Station #2 will be accomplished. These upgrades include: Increased living and sleeping quarters, additional apparatus bay to store equipment and remodeling to the inside to help comply with the latest industry standards. This is a competitive grant, however not a matching grant. If granted the funds will be directed to the City for Fire Department for construction.

Does This Action Require A Busine		() Yes (XXX) No
() Resolution (xxx) Formal Action/Motion	(cneck one) () Ordinance () Other		

Recommended Board Action: I move to authorize staff to pursue a grant through (ARRA) American Recovery and Reinvestment Act-Assistance to Firefighters fire station construction Grant, in the amount of \$993,106.18 for upgrades and additions to Fire Station #2.

Explanation for Recommended Board Action: See attached memo

Applicable Statue, Code, Policy, Rule or Regulation: American Recovery and reinvestment Act of 2009.

Fiscal Impact: If awarded the grant will cover all costs associated with the Civil, design, landscaping, architectural, structural and contingency for the requested addition and upgrades to the station. This is a non matching grant opportunity.

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: Do not authorize and direct staff otherwise.

Supporting Material: Copy ARRA Grant Summary and conceptual plans.

Prepared By: Assistant Fire Chief ThomasTarulli

Reviewed By:	:		Date:		
	(Department)Head)		Date:	6/241	109
	(City Manager)		Date:	6-23-	-09
	(District Attorney) The Haulso (Finance Director)	······	Date:	6/23/00	<u> </u>
Board Action	Taken:				
Motion:		1) 2)			Aye/Nay
(Vote Reco	orded By)				





Service with Pride Commitment Compassion"

To: Mayor and Supervisors

From: Thomas Tarulli Assistant Chief Operations

Date: June 17th 2009

Subject: A brief overview of the \$210 million ARRA Grant for the Fire service and how

it can help Carson Fire station #2.

In May of 2009 the Department of Homeland Security received \$210 million from The American Recovery and Reinvestment Act to fund Fire Station construction and or modifications. The program will be administered through the Assistance to Fire Fighters office in FEMA. This is a competitive grant and will be reviewed by a panel of Fire Service and building construction experts, who will determine who has displayed the most need. There are no cost share requirements tied to this grant; however anything we bring to the table will be reviewed positively. The Grant is provided to help departments who have a need for a new station or have a station that is becoming useable or inhabitable. We are seeking this grant so we are able to construct larger living and sleeping quarters. This addition of new bunkrooms and living quarters will meet the current standards for space and privacy. The grant will also ask for an addition to the apparatus bay, so we can properly house response vehicles that are currently kept in a storage building. The modifications will provide a room to properly store all of our firefighting gear, a room to properly clean contaminated gear and clothing, provide for more office and training space, an area for proper physical fitness. Currently all crews sleep in the same room, and the officer sleeps in a storage room. With the additions and remodel we will be able to properly house personnel when we staff additional units or in disaster situations. Moving vehicles out of a storage building and into the new apparatus bay will be more efficient for response to incidents. We believe that the area we protect in Carson city, the demographics of the city, the current state of the economy. unemployment, call volume and the need for upgrading this station will make our request look attractive to the reviewers. These modifications and additions to Fire station #2 have been in the works since 2003, but funding has always been an issue. The grant evaluating criteria will recognize these points as a positive for us.



FISCAL YEAR 2009

A.R.A. Assistance to Firefighters Fire Station Construction Grants

GUIDANCE AND APPLICATION KIT

MAY 2009



Title of Opportunity: A.R.R.A. Assistance to Firefighters Fire Station Construction Grants (CFDA 97-115)

Federal Agency Name: Department of Homeland Security, Federal Emergency Management Agency

Announcement Type: Initial

Dates: Completed applications must be submitted no later than 5:00 p.m., Eastern Time, July 10, 2009.

Additional overview information: The American Recovery and Reinvestment Act (ARRA) of 2009 (Public Law 111-5) provided the Department of Homeland Security with \$210,000,000 to fund the construction and modification of fire stations. The program will be administered by the Assistance to Firefighters Program Office under FEMA's Grant Programs Directorate. The grants under this new program will be awarded directly to the fire departments on a competitive basis.

In creating this new program, the Assistance to Firefighters Program Office utilized the established process employed for all other grant opportunities. DHS involved the nine major fire service organizations to obtain insight and expertise providing funding priority recommendations. Applications will be submitted via the automated e-grant application. The submitted applications will be screened using the answers to the questions in the application to determine which applications will go to panel. Finally, a panel of peers will review each application sent to panel and provide recommendations regarding which applications will be funded.

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FUNDING OPPORTUNITY DESCRIPTION

Assistance to Firefighters Fire Station Construction Grants (FSC) provide financial assistance directly to fire departments on a competitive basis to build new or modify existing fire stations in order for departments to enhance their response capability and protect the community they serve from fire and fire-related hazards. The authority for FSC is derived from the American Recovery and Reinvestment Act (ARRA) of 2009 (Public Law 111-5). Congress appropriated a total of \$210 million for this Fiscal Year (FY) 2009 program. Our primary goal is to help fire departments meet their firefighting and emergency response needs. FSC seeks to support organizations lacking the tools and resources necessary to effectively protect the health and safety of the public and their emergency response personnel with respect to fire and all other hazards.

The purpose of this package is to provide an overview of the FSC, the formal grant guidance and the application materials needed to apply for funding under this program. An explanation of the Department of Homeland Security (DHS) requirements for implementation of a successful application is also included. Our job at DHS is to provide clear guidance and effective application tools to assist applicants. Our customers are entitled to effective assistance during the application process and transparent, disciplined management controls to support grant awards. DHS intends to be good stewards of precious Federal resources and common-sense partners with our first responder colleagues.

A. Federal Strategy

The FSC Program is an important part of the Administration's larger, coordinated effort to stimulate the economy while strengthening homeland security preparedness. The National Preparedness Guidelines, which comprise an all-hazards vision regarding the Nation's four core preparedness objectives: prevent, protect, respond and recover from both terrorist attacks and catastrophic natural disasters, and their associated work products are of particular significance.

The National Preparedness Guidelines define a vision of accomplishment, and provide a set of tools to forge a unified national consensus about what to do and how to work together at all levels of government in order to effectively respond to all hazards. First responder participation is paramount to the Guidelines' success. DHS expects its first responder partners to be familiar with the National Preparedness Guidelines, and to consider these guidelines when assessing their needs and developing their grant requests.

B. Priority Development Process

As with other grant opportunities for fire departments, DHS consulted with a panel of fire service professionals representing the nine major fire service organizations to recommend funding priorities and other implementation criteria for FSC. This criteria development panel was charged with making recommendations to DHS regarding the creation of funding priorities, as well as developing criteria for awarding grants. These nine organizations are:

- Congressional Fire Services Institute (CFSI)
- International Association of Arson Investigators (IAAI)
- International Association of Fire Chiefs (IAFC)
- International Association of Firefighters (IAFF)
- International Society of Fire Service Instructors (ISFSI)
- National Association of State Fire Marshals (NASFM)
- National Fire Protection Association (NFPA)
- National Volunteer Fire Council (NVFC)
- North American Fire Training Directors (NAFTD)

For this funding opportunity, we asked additional stakeholder organizations to provide input into the FSC program priorities. The following non-fire service organizations provided feedback for our proposed priorities:

- National Association of Counties
- National Governor's Association
- National League of Cities
- · U.S. Conference of Mayors

This document reflects DHS' incorporation of the recommendations provided by the criteria development panel with respect to the priorities, direction and criteria for awarding grants. All of the funding priorities for the FSC are designed to address first responder safety, enhance response capabilities and/or expand mutual aid.

In evaluating requests for assistance under the FSC, DHS takes into account the benefit to be derived from the costs of the grant activity when considering each application for award. DHS has determined a risk-based focus achieves this cost-benefit consideration. In addition, frequency of use and level of population protected are measures of risk as well as indicators of the benefit derived from an award. Therefore, DHS provides a higher level of consideration to applicants with significant levels of incidents and those who protect large populations relative to other applicants, regardless of the type of community served.

The specific criteria for our highest priorities are set forth in *Part I. Section C. Funding Priorities* of this guidance.

C. Funding Priorities

The purpose of FSC is to provide economic stimulus in the form of jobs and increase the safety of the firefighters and the communities they serve. As such, all program priorities focus on the timeliness of the implementation of the construction project, the effect the new or modified facility will have on the health and safety of the firefighters as well as the benefit the new or modified facility will have on the protection of the community.

Since one of the priorities of the ARRA is to stimulate the economy by providing jobs, DHS will provide the high consideration to departments serving communities that have suffered the highest increases in joblessness rates. To assess this criterion, the change in the joblessness rates from 2007 to 2008 in your county or community will be compared.

We provide the highest consideration to fire departments that own or have otherwise already acquired the land where they plan to construct or modify their fire station. We also provide the highest consideration to requests where the applicant's land is already zoned for the new or modified structure and where the applicants have already obtained the permits for their project including any State or locally required environmental assessments. However, no preference is given to requests for constructing new stations or to requests for modifying/improving stations already in existence.

While the type of the project is not considered (i.e., DHS will not differentiate between new construction and modifications), the *purpose* of the construction or modification will have a bearing on the award determination. In this regard, the ARRA has two, equally high priorities:

- 1) To replace unsafe or uninhabitable structures regardless of whether the project calls for the construction of a new building or the rehabilitation of an existing structure. Applicants claiming unsafe or uninhabitable structures may be required to provide documentation regarding the nature of the health or safety deficiencies. Any health-code violations or orders to vacate unsafe structures must pre-date the enactment of the ARRA for consideration.
- 2) To fund projects expanding fire protection coverage to meet increased service demand in compliance with NFPA 1710 or 1720. In these instances, expanding fire protection coverage under a community's capital improvement plan will receive higher consideration than expansion projects not engaged in capital improvement planning.

The next priority is to fund projects modifying or expanding existing structures to provide sleeping quarters and/or amenities for full-time occupancy (to allow for habitation 24 hours per day). A slightly lower priority is to fund modifying or expanding existing structures to accommodate support functions such as

communications. The lowest priority is to fund projects replacing or expanding habitable structures that are cramped or inefficiently configured for operation.

Another community characteristic that will be assessed is the community's status under the National Flood Insurance Program (NFIP). Applicants serving communities not in good standing under NFIP receive lower consideration than departments serving those communities in good standing or those which have not been mapped.

In determining which requests should be funded, the ultimate result of the project will be considered. The criteria development panel recommended and DHS concurred that the highest priority is projects providing a safer working environment for the department's firefighters or projects providing improved response times to the population the department protects. DHS believes expanding a structure to provide amenities for full-time occupancy in order to meet service demand would comply with this criterion by improving response times. Lower priorities are assigned to projects expanding an existing structure to house support functions such as communications.

Based on recommendations provided by the criteria development panel, additional consideration is provided to projects that will be designed and built according to the most recently approved requirements, codes, and standards developed by the International Code Council (ICC) as well as NFPA standards that involve fire station construction. These standards include sprinkler systems (in accordance with NFPA 1, chapter 13) as well as smoke/carbon monoxide detection systems and vehicle exhaust extraction systems (in accordance with NFPA 1500, chapter 9). FSC projects must include these features in order to receive consideration. Also, additional consideration will be provided to projects that include sleeping quarters and other amenities to allow for full-time occupancy – 24 hours per day, seven days a week, 365 days a year.

The timing of the project would have an effect on both stimulating the local economy in addition to improving protection of the firefighters and the community. As such, projects capable of starting immediately upon receipt of DHS approval receive higher priority. Also, projects that will be completed on an expedited schedule will receive higher priority.

The length of time your department has been attempting to build a new station would be an indication of need. Departments having permits or that have forgone capital building plans for extended periods of time receive higher priority than departments that do not yet have permits or that have not yet forgone their capital building plans. Projects already having the utilities on or adjacent to, the property where the construction will occur receive a higher consideration than projects not having immediate utility access.

There is no cost-share required under the FSC. However, the willingness or ability of a community to contribute to the project is a desirable attribute. A community

contribution demonstrates commitment, enhances the award and provides a greater cost-benefit to the project. As such, applicants who contribute toward the project receive higher consideration than applicants who are relying entirely on the grant funding for their project. The higher the percentage of the contribution, the higher the consideration the grantee receives for funding. Grantees will be obligated to provide the cost-share if they pledged to provide the cost-share in their application. Be advised that the cost-share declared in the application is only applicable to the eligible costs of the project. Costs associated with ineligible portions of the construction project – such as the cost of a ballroom or law enforcement annex – are not considered to be part of the grantee's cost-share.

As stated above, one of the primary concerns of this program is firefighter safety. In addition, one of the program's priorities is to improve a department's response times. The criteria development panel recommended and DHS agreed training is critical for achieving both firefighter safety and effectively improving response. As such, the FSC will take applicants' training levels into consideration when award decisions are made. Applicants with significant numbers of firefighters trained to NFPA 1001 receive higher consideration than departments with low compliance.

Other department characteristics taken into consideration are the applicant's call volume, the population protected by the department, whether or not the applicant provides EMS service in addition to fire suppression, and the positive affect the new structure will have on the department's ability to improve mutual aid. DHS determined the frequency of use and the size of population protected are both a measure of benefits derived from any award. Higher consideration is given to departments with higher call volume and a higher population protected. Higher consideration is also provided to applicants who, if awarded, will improve their ability to provide mutual aid.

With regard to protection of wetlands and floodplain management, DHS will not support development or new construction or substantial renovation in wetlands, designated floodways or velocity zones. Fire stations can be newly constructed or undergo substantial renovation in flood plain areas, provided that the clearance process steps of Executive Order 11988 is followed (e.g., no other reasonable alternative location exists) and provided that all appropriate flood plain management requirements of National Flood Insurance Program participation are followed. This would include protection of the new construction or substantial renovation. Fire stations are considered critical facilities for flood plain management purposes, and therefore new construction or major renovations must be protected to the 500 year flood level. DHS will take the location of the modification and/or new construction into account when evaluating the viability of any project.

PART II. AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 Assistance to Firefighters Station Construction Grants (FSC), describes the basic distribution method used to determine final grants awards and identifies all eligible applicants for FY 2009 funding.

A. Award Period of Performance

The period of performance for FSC Grants is 36 months from the date of award. Extensions to the period of performance will only be considered through formal requests to DHS with specific, compelling justifications regarding why an extension is required. Extensions are considered on a case-by-case basis.

B. Available Funding

This section describes departments and organizations eligible to apply for funding under the FY 2009 FSC, the total available funding in FY 2009 and the allocation of those funds. Funds appropriated for the FY 2009 FSC are available to DHS for obligation and award until September 30, 2010.

C. Specific Funding Parameters

Congress appropriated a total of \$210 million to implement the activities of the FY 2009 FSC Program. Grants awarded under the FSC shall be to a variety of fire departments, including, paid, volunteer and combination fire departments; fire departments located in communities of varying sizes; and fire departments located in urban, suburban and rural communities.

The American Recovery and Reinvestment Act directs DHS to limit the funding for any one grant to \$15.0 million per award. In order to maximize the benefits of the stimulus funding, DHS will also impose a \$5.0 million funding limitation on each project within an application. There is no limit to the number of projects that can be included in an application as long as no one project exceeds the \$5.0 million limit and the total request does not exceed the \$15.0 million limit. In instances where an applicant submits a request with multiple projects, each project will be considered in all levels of the evaluation of the application — preliminary review, the panel review, and the subsequent technical reviews. See Part V of this guidance for more information.

DHS will not impose any other funding parameters on the FSC.

D. Awards

DHS anticipates between 5,000 and 10,000 applications for assistance will be received during the FY 2009 FSC application period. DHS also anticipates over \$30.0 billion in requests will be received. From this universe of applications DHS anticipates it will award approximately 100 grants with the \$210 million of available funding.

PART III. ELIGIBILITY INFORMATION

A. Eligible Applicants

Eligible applicants for FSC are limited to non-Federal fire departments operating in any of the 50 states plus the District of Columbia, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa and Puerto Rico are eligible for funding. Any authority having jurisdiction (AHJ) may apply on behalf of the fire department if the AHJ has authority over the fire department and will be contributing toward the project administratively, financially or both.

A "fire department" is defined as an agency or organization having a formally recognized arrangement with a State, territory, local or tribal authority (city, county, parish, fire district, township, town or other governing body) to provide fire suppression to a population within a fixed geographical area on a first-due basis.

For the purposes of these grants, DHS considers two or more separate fire departments sharing facilities as one organization. This determination is designed to avoid duplication of benefits. DHS believes two or more fire departments sharing facilities should be able to satisfy all of their facility needs with one application. Therefore, if two or more organizations sharing facilities each submit an application, all applications will be deemed ineligible.

Non-Federal airport and/or port authority fire departments are only eligible if they have a formally recognized arrangement with the local jurisdiction to provide fire suppression on a first-due basis outside the confines of the airport or port facilities. Airport or port authority fire departments whose sole responsibility is suppression of fires on the airport grounds or port facilities are not eligible for funding under FSC.

B. Ineligible Applicants

For the FY 2009 program year, each eligible applicant may only submit one FSC application. If an eligible applicant submits multiple applications, all applications will be deemed ineligible.

Other applicants who are ineligible for funding include:

- Fire departments that are Federal, or contracted by the Federal government, whose sole responsibility under a formally recognized agreement is suppression of fires on Federal installations or land
- Non-firefighting organizations such as EMS or rescue organizations

- Fire stations that are not independent entities, but are part of, controlled by or under the day-to-day operational direction of a larger fire department or agency
- Fire departments that are for-profit departments (i.e., do not have specific nonprofit status or are not municipally based)
- Airport fire departments
- · Fire training centers
- Emergency communications centers
- Auxiliaries and fire service organizations or associations
- Dive teams and search and rescue teams, or any similar organizations that do not have fire suppression responsibilities

C. Cost Sharing

There are no cost share requirements under FSC. However, if the applicant pledges to contribute toward the construction project in their application, as a condition of award, they are required to contribute to the final costs of project in the same ratio pledged in the final approved application. Costs associated with ineligible portions of these construction projects (such as the addition of a ballroom) are not eligible, thus cannot be considered as part of any cost-share.

D. Allowable Expenses and Cost Restrictions for Fire Station Construction

The only activities funded by the FSC are the building of new or modification of existing fire stations. Construction of any facilities other than fire stations (e.g., structures for training or emergency operations centers) is not eligible for funding.

D.1. Eligible Items

When formulating the costs associated with a building modification, the applicant should be aware of costs for code improvements that may be triggered by "substantial improvement" stipulations under the National Flood Insurance Program's regulations and/or local building codes. Generally, reconstruction, rehabilitation, addition, or other improvement of a structure where the cost exceeds 50 percent of the market value of the structure may trigger other code upgrade requirements that the applicant may have to incorporate into their project.

Within the fire stations built or modified under the FSC, the following items, activities or expenses are eligible:

- Building construction
- Environmental assessment
- · Building site preparation, including demolition, if necessary

- Design, planning, and engineering expenses incurred after award
- Expenses necessary to comply with the most current edition of NFPA1500
- Expenses necessary to comply with the locally adopted building, fire, plumbing, mechanical and electrical codes.
- Sprinklers or other life safety and fire protection systems
- Vehicle exhaust extraction systems
- Decontamination areas
- Space for training (up to 600 square feet)
- Space for gender-segregated sleeping
- Gender-segregated restrooms
- Space for exercise equipment
- Kitchens
- Kitchen appliances
- Dining/eating area
- ADA compliance
- · Gear racks, storage and shelving for gear/equipment
- Internet cabling
- Energy conservation systems (Leadership in Energy and Environmental Design - LEED™)
- Renewable energy for HVAC and power systems

D.2. Ineligible Items

- Land acquisition
- Cost overruns
- Fire station staffing
- Pre-award costs (including but not limited to design, planning, and engineering expenses incurred *prior* to award)
- Grant writing fees
- Space for public use (ballrooms, community meetings, fund raising)
- Furnishings (including office/training equipment)
- Exercise equipment
- Firefighting equipment
- Personal protective equipment
- Washers/extractors
- Apparatus
- Vehicle mounted exhaust extraction systems
- Landscaping
- Security systems
- Decorative items (curtains, wall hangings, etc.)
- Projects that duplicate any other Federal awards
- Demolition costs not related to the funded project

The cost for space for any activities that are not directly related to the daily operation of the fire department – such as community meeting space, ballrooms,

administrative support, or other governmental functions such as police or emergency management annexes – are not eligible for Federal funding. These types of amenities, facilities, or functions may be included in the overall design and construction of the station project, but the costs would not be eligible for Federal reimbursement. Eligible costs will be limited to the cost of the operational space. The eligible cost of the construction will be total cost net of the cost of the non-operational or otherwise ineligible space. The cost of the non-operational space will be based on square footage of the identified ineligible space compared to the overall project square footage of the entire project.

The ability of the department to use non-operational space for eligible activities, such as training, does not mean that the space is eligible. For example, a room that is 50 feet by 100 feet could be used for training, but it is likely that the primary purpose of that room would be for social or community events, not for training. We will not fund space that is clearly meant for non-operational use.

While the cost of non-operational space is not eligible for Federal funding, it does contribute to the purpose of the ARRA (i.e., creating and/or sustaining jobs). As such, DHS will not penalize any applicant that includes additional, non-fire operational space in their construction project. However, applicants will be required to identify the additional costs associated with the non-operational space in their application. Again, the cost of the non-operational space may be incorporated into a structure, but the costs will not be eligible for Federal funding nor inclusion as a local cost-share. The costs for the non-operational space will be assessed during DHS' technical review and removed from the overall approved project costs. The costs will be determined on a prorated basis – the square footage of the non-operational space compared to the total square footage of the structure.

E. Other Allowable Costs

This section describes additional costs that may be paid using FSC Grant funds. Applicants should be aware all costs will be taken into consideration when evaluating the benefits of the funding being requested. Expenses that support the administration or oversight of the project over and above the direct construction costs are eligible, but if excessive, may affect the overall evaluation of the application.

1. Administrative Costs: Administrative costs are allowable under any of the program areas listed above in accordance with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments, or OMB Circular A-122, Cost Principles for Nonprofit Organizations, as applicable. (For more information about Circulars, go to 2 CFR Part 225 or Part 230, respectively, or to www.whitehouse.gov/omb/circulars.) Applicants may apply for administrative costs if the costs are directly related to the implementation of the project(s) for which they are applying. Administrative costs are identifiable costs directly associated with the implementation and management of the grant and cannot exceed three percent (3%) of the award.

- 2. Indirect Costs: Indirect costs are those incurred for common or joint objectives that cannot be readily identified with a particular final cost objective. A cost may not be allocated to an award as an indirect cost, if any other cost incurred for the same purpose, in like circumstances, has been assigned to an award as a direct cost. In order to charge indirect costs to the grant, an applicant must have a federally approved indirect cost rate. Documentation of a federally approved indirect cost rate agreement must be submitted to DHS prior to submitting any claims for reimbursement of indirect costs. In order to be considered allowable, the rate must be consistent with its established terms and charged appropriately to the applicable base. For example, some indirect cost rates may not apply to capital procurements.
- 3. Audit Costs: Grantees must comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations. Recipients of Federal funding that expend more than \$500,000 in Federal funds (from all Federal sources) in their fiscal year are required to have a single audit for each year in which their level of expenditures exceeds the threshold. (For more information about OMB Circulars, go to www.whitehouse.gov/omb/circulars.) If a single audit is required, a portion of the audit cost would be allowable, if included in the application budget and should be charged a prorated share of the costs of the single audit to the grant. For example, if you expend \$100,000 from the FSC and \$400,000 from the Forestry Service during your fiscal year, DHS will allow you to charge one-fifth of the audit cost to the FSC Grant. DHS does not require any other audits; therefore, the grantee cannot charge any other audit expenses to the grant.
- 4. Costs for Historic and/or Environmental Assessments: Cost incurred in order to comply with guidance on environmental planning and historic preservation (EHP) requirements for grant funded projects involving new construction, renovation, and modifications to buildings and structures that are 50 years old or older including demolition are eligible. The projects funded under the FSC have the potential to affect environmental resources and historic properties through ground disturbance, impact to wetlands, floodplains, coastal zones, and other water resources, alteration of historically-significant properties, and impact to threatened and endangered species. As such, the costs associated with compliance with the EHP are eligible if incurred after award.

F. Reasonableness of a Request

The peer review panelists review all applications in the competitive range and judge each application on its own merits. Also, the costs will be reviewed by technical specialists that are familiar with construction projects. The panelists and the technical specialists will consider all expenses budgeted, including administrative and indirect costs, as part of the cost-benefit determination, and may recommend appropriate adjustments. Regardless of the eligibility of any costs requested, DHS reserves the right to reduce any requests for assistance, in whole or in part, that they deem to be excessive or otherwise contrary to the best interests of this program, i.e., DHS may reduce the number of the projects requested contained in an application

or may reduce the funding on a specific project that includes budgeted items that are extraneous or ineligible.

Applicants who submit false information with their applications, or misrepresent their organizations in any material manner, will have their applications deemed ineligible by DHS and referred to the DHS' Office of Inspector General (OIG) for further action, as appropriate.

APPLICATION AND SUBMISSION INFORMATION

This section summarizes the process for applying for an FY 2009 Fire Station Construction Grant.

A. Automated Grant Application

The FY 2009 FSC application is accessible from the Assistance to Firefighter Grants (AFG) Website (www.usfa.fema.gov). A notice of application will be published on the grants.gov Website (www.grants.gov). We have designed the automated application with many built-in "help screens" and "drop-down menus" to assist applicants throughout the application process. The application can be saved and retrieved as many times as needed to complete it - up to the application deadline or the application submittal.

DHS reserves the right to request additional clarifying information from applicants. However, once an application has been submitted, it cannot be changed. Updates to applications to correct errors discovered after submission or to reflect changes in an organization's circumstances, regardless of severity, are not accepted. Applicants are automatically notified via email once DHS receives their application. If you do not automatically receive this email acknowledgement of the submittal, log back into your application and resubmit it.

You may decide to hire or engage a grant writer to assist you with the application. However, as the applicant, you are responsible not only for the cost associated with using outside assistance but also for all information contained in your application. By submitting the application, you are certifying all of the information contained therein is true and an accurate reflection of your department. Therefore, prior to submission, please review all work produced by grant writers or other third parties on your behalf. Applicants who falsify their applications or misrepresent their organizations in any material manner will have their applications deemed ineligible by DHS and referred to the DHS OIG for further action, as appropriate.

Applications for the FY 2009 FSC will be accepted beginning June 8, 2009, at 8:00 a.m. Eastern Time. Completed applications must be received by 5:00 p.m. Eastern Time, on July 10, 2009. The Catalog of Domestic Federal Assistance (CFDA) number for the ARRA Assistance to Firefighters Station Construction Grant is 97.115.

B. Application Process

Eligible applicants can apply for FSC funding online via the "e-grants" application. The system will allow an authorized representative of an applicant to log in and create a username and password. The selection of the authorized representative is at the discretion of each applicant. If your organization submitted an application under any other AFG offering in previous years, DHS advises you to use the same username and password used for previous applications.

C. DUNS Number

Effective October 1, 2003, all Federal grant applicants must obtain a Dun & Bradstreet Data Universal Numbering System (DUNS) number. The DUNS number helps the Federal Government identify organizations receiving Federal funding and ensures consistent name and address data for electronic grant applicants. Additional information about DUNS numbers can be found on the Dun & Bradstreet Website: http://fedgov.dnb.com/webform/displayHomePage.do;jsessionid=B9E740A165.

There is no charge to obtain a DUNS number, and it is the applicant's responsibility to obtain one. Extensions may not be granted for applicants who are unable to obtain a DUNS number prior to the end of the application period. Since it may take several weeks to obtain the number online, applicants are encouraged to apply for a DUNS number as soon as possible by calling 1-866-705-5711. The DUNS number must be entered in the FSC application.

D. Project Period

The period of performance for any award under FSC will be 36 months from the date of the award – regardless of the number of projects funded. Applicants should consider this when determining the number of projects they wish to include in their application.

E. Application Details

The FSC application includes general questions about the applicant's organization and community as well as specific questions about the proposed project. After completing the general questions, you are asked a series of activity-specific questions regarding the construction project for which you plan to apply. The answers to these questions are used to evaluate the application.

Finally, you are required to provide a written narrative describing the planned project. The narrative portion of the application should provide details of the construction project for which you are seeking funding including budget details for the project. The narrative should also describe your organization's financial need and details about the benefits your community and/or organization will gain from the

expenditure of the grant funds. Applications should particularly note how the grant will enhance your department's ability to protect the community as well as any critical infrastructure for which you may be responsible. Finally, the narrative should explain the extent to which the grant would enhance your daily operations and/or how the grant will positively impact your ability to protect life and property.

DHS recommends you type your narrative offline using any word processing software, such as Word, Word Perfect or Notepad. Once the narrative is complete, copy or "cut-and-paste" it from the word processing document into the narrative block of the application. Space for the narrative is limited and it cannot exceed ten pages. Any text beyond the ten-page limit will be deleted by the electronic system and not included in your application submission. Do **NOT** type the narrative using only capital letters. See Part V of this guidance for more specific information regarding the narrative section of the application.

F. Project Development

Fire departments may submit applications for the construction of new fire stations or modifications of existing stations subject to the statutory funding limitations discussed above. Generally, these fire station projects focus on one of the following two areas:

- *Firefighter Safety.* Fire station projects to enhance firefighter safety would include, but not be limited to, the replacement of condemned structures or rehabilitation of an unhealthy structure.
- **Community Safety.** Projects that improve the fire department's response capabilities and enhance public safety.

Eligible applicants may submit *only one application* for assistance. If multiple applications are submitted on behalf of one organization, either intentionally or unintentionally, all of that organization's applications will be deemed ineligible. The application can include any number of projects regardless of whether the projects are for the construction of new stations or modifications to existing stations subject to the funding limitations under Part II, C of this guidance.

PART V.

APPLICATION REVIEW AND EVALUATION PROCESS INFORMATION

This section summarizes the multi-level review and evaluation process used to select applications for FSC funding.

A. Prescreening Process

As explained earlier, funding priorities and criteria for evaluating FSC applications are established based on recommendations from the criteria development panel. All submitted applications are ranked based on the substance of the application relative to the established funding priorities. Information provided in the application including answers to the application's activity-specific questions provide a basis to determine each application's ranking relative to the stated priorities.

B. Peer Review Process

Applications most consistent with the grant funding priorities (as outlined in Part I, C above) score higher than applications that are inconsistent with the priorities. Applications scoring the highest are determined to be in the "competitive range" and undergo further evaluation through a peer review process. DHS will review a sufficient number of applications in order to assure that the FSC Program's goals and objectives are met. To achieve this, the number of applications reviewed will be the number of applications whose cumulative requests equates to no less than 200 percent (200%) of the appropriated funding for FSC. As such, with \$210 million appropriated for FSC, DHS will consider no less than \$420 million in applications to be in the competitive range and reviewed by a panel of peers.

A panel of at least three peer reviewers evaluates each application scoring in the competitive range from the first phase of evaluation using the project narrative and the specific project details you provide in the application. During the panel review process, panelists provide a subjective but qualitative judgment on the merits of each request.

Panelists evaluate and score the following project elements:

1) Project Description:

Your narrative should demonstrate the need for the new facility. This
would include a description of the existing facility or facilities and their
shortcomings.

- Why are you building a new station versus expanding or modifying your existing station (or vice versa)? Provide a basis for site selection for the new construction.
- Describe your construction project(s). What are the characteristics of your project? How many square feet? How many bays/vehicles? What other accommodations will be included such as a kitchen, training, decontamination area, power source, gender specific sleeping quarters, training space, day room or community meeting space?
- What are the budgeted costs associated/estimated for each section?
- What is the current status of the project? Describe where you are in the process. Have you obtained plans, permits, etc.?

2) Financial Need:

- Why can't this project be funded solely through local funding resources?
- What efforts have you employed to generate funds for the construction?
 Describe the number and types of events.
- How long have the efforts to generate funds for the new station been ongoing?
- Have you applied for or obtained other grants or sources of funding?
 Have your fund-raising efforts been unsuccessful or declining?
- Have you obtained but lost partial grants due to inability to fund an entire project?
- Describe your local community's economic situation, including unemployment and poverty levels.

3) Cost/Benefit:

- How will your firefighters be safer with the new station (if applicable)?
- How will the new/modified station improve your response capabilities? Do you have the ability to expand service from new structure?
- Describe the possible consequences if the project is not funded.
- Describe the extent of the local contribution that will go toward the project.
- What types of incidents and/or expanded services that will be handled from the new structure?
- What "green" elements do you plan on incorporating into the station?

4) Effect on Daily Operations:

- Describe how this award will affect your department's daily operational effectiveness due to new proximity to population.
- How would this award affect your department's ability to protect lives and property in your community?

- What assurances can you provide that the new station will be staffed/equipped so fire suppression services are not compromised (not stretched too thin to benefit the community)?
- How will the new structure enhance your department's ability to provide mutual aide?

Each of these elements carries equal weight when factored into the panelists' scores (i.e., one-fourth).

Each application is judged on its own merits, not compared to other applications. The panelists consider all expenses budgeted, including administrative and/or indirect costs, as part of the cost-benefit review. Panelists review each application in its entirety and rate the application according to the established evaluation criteria.

DHS will use the answers to the activity-specific questions as well as other information in the application when conducting initial assessments. The answers to these questions are the primary basis for determining whether an application warrants further evaluation through peer review. Applicants whose answers indicate their project is consistent with the established priorities (as outlined in Section 1.C above) have a better chance of scoring within the competitive range and reaching the second level of evaluation, e.g., the peer review, than those applicants whose projects do not reflect the established priorities. Applicants who submit false information with their applications or misrepresent their organizations in any material manner will have their applications deemed ineligible by the AFG Program Office and referred to the DHS' OIG for further action, as appropriate.

C. Technical Review Process

Each application that scores high during the peer review process will be deemed to be in the fundable range. Applications in the fundable range undergo series of Technical Reviews by subject matter specialists as well as a Program Office review prior to being recommended for award. As part of the technical review, subject matter specialists will assess the technical feasibility of the applicants achieving the benefits claimed in their applications. Applications in the fundable range will also be asked to submit more detailed information regarding their construction budget. The instructions regarding the content and format of that information will be transmitted to the applicant during the technical review. We will have a construction specialist perform a detailed review of the proposed budget as well as conformance to accepted engineering practices (codes, standards, modeling, techniques, or best practices). After the Technical Review, the Program Office will conduct an additional review to assess the request with respect to eligibility prior to recommending the application for award.

D. Anticipated Announcement and Award Dates

DHS will commence the panel review process within 60 days of the end of the application period. Award decisions for the FY 2009 FSC program will be completed on or before September 30, 2010.

PART VI. AWARD ADMINISTRATION INFORMATION

This section summarizes the administration of awards including award procedures and grantee responsibilities.

A. Award Procedure

Awards will be made using the results of peer-reviewed applications as the primary basis for funding decisions, regardless of project. However, applications will be reviewed by subject matter specialists for technical feasibility as well as by DHS for eligibility, allocability, reasonableness, and necessity prior to making award recommendations. Grants awarded under the FSC shall be to a variety of fire departments, including, paid, volunteer and combination fire departments; fire departments located in communities of varying sizes; and fire departments located in urban, suburban and rural communities.

Fire departments that have received funding under the AFG in previous years are eligible to apply for FSC funding in FY 2009. DHS will also take into account an applicant's performance on prior grants when making funding decisions on current applications.

During the initial phase of the evaluation, each application is evaluated based on the answers to the activity-specific questions. The applications most consistent with the established funding priorities will be deemed to be in the "competitive range" and subject to the second phase of review. This second-level review is conducted by a panel of peer reviewers who assess the application's merits with respect to the detail provided in the narrative on the activity, the applicant's financial need and the purported benefit to be derived for the cost. The peer reviewers independently score each application, discuss the merits and shortcomings of the application and reconcile any major discrepancies, if necessary. A consensus is allowed but not required.

Once every application in the competitive range has been through the peer panel review, the applications are ranked according to the average score awarded by the panel. The ranking is summarized in a Technical Report prepared by the AFG Program Office. At that time, the AFG Program Office makes award recommendations to the grants management specialists in the Grants Management Division of the Grants Programs Directorate. The grants management specialists conduct the required regulatory reviews before authorizing the award of Federal grant dollars.

DHS will select a sufficient number of awardees from this application period to obligate all of the FY 2009 funding available. Awards are announced as decisions are made over several weeks after the results of the panel evaluations are analyzed. Awards are not made in any specified order.

B. Grantee Responsibilities

FSC award recipients (grantees) must agree to:

- (1) Perform, within the designated period of performance, all tasks (scope of work) as outlined in the grantee's application as approved by DHS in accordance with the Articles of Agreement. Failure to adhere to the policies, terms and conditions of award as set forth in this document, as well as the Articles of Agreement and all references, including clarifications provided in the frequently asked questions, may result in loss of the current award as well as future eligibility. Additional instructions on administering the FSC grant will be issued prior to award.
- (2) Provide the pledged cost-share. The grantee is not required to provide any cost-share for the FSC. However, the grantee must provide a cost-share for their project if they pledged to provide one in their original application (at no less than the percentage pledged). Failure to adhere to this cost-sharing provision may result in a reduced award.
- (3) Retain grant files and supporting documentation for three years after the conclusion and closeout of the grant or any audit subsequent to closeout.
- (4) Follow the standards identified in the Buy American Act, 41 U.S.C. §§ 10a-10d. The Buy American Act requires that all supplies and construction materials purchased must be produced in the United States, unless such materials are not reasonably available, or such a purchase would not be in the public interest. Additionally, ARRA requires that projects funded by the Act, for the construction, alteration, maintenance, or repair of a public building or public work use American iron, steel, and manufactured goods in the project unless one of the specified exemptions applies. The Act provides that this requirement be applied in a manner consistent with U.S. obligations under international agreements. Definitions of "manufactured good," "public building and public work," and other terms as they pertain to the Buy American guidance in 2 CFR part 176 are found in 176.140 and 176.160. Grant recipients must follow the Federal Acquisition Regulations implementing the Buy American Act, 48 CFR Part 25.
- (5) Comply with guidance on environmental planning and historic preservation (EHP) requirements for grant funded projects involving new construction, renovation, and modifications to buildings and structures that are 50 years old or older including demolition. These projects have the potential to affect environmental resources and historic properties through ground disturbance, impact to wetlands, floodplains, coastal zones, and other water resources, alteration of historically-significant properties, and impact to threatened and endangered species and

migratory birds. Consequently, FEMA engages in a compliance review process to ensure proposed projects comply with applicable Federal EHP laws, regulations, and Executive Orders. Compliance with all applicable environmental requirements must be met prior to starting any project funded under the FSC. See Appendix for more information.

- (6) Comply with requirements under the Davis-Bacon Act (40 U.S.C.A. §§ 276a to 276a-5). Specifically, grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is available from the following website: http://www.dol.gov/esa/programs/dbra/.
- (7) Administer the grant in accordance with the administrative rules for Federal grants and cooperative agreements, specifically 44 CFR Part 13 and 2 CFR Part 215.
- (8) Ensure all procurement transactions are conducted in a manner to provide, to the maximum extent practical, open and free competition. Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors and selecting the lowest bidder capable of meeting the requirements. Procurements should be made from the bidder whose offer is responsive to the solicitation and most advantageous to the grantee when price, quality and other factors are considered. The grantee must follow their established procurement policies when purchasing equipment and services with FSC funds. Grantees who fail to adhere to their own procurement policy or otherwise fail to fully "compete" any transaction involving Federal funds may find their expenditures questioned and subsequently disallowed.

Specifications developed for solicitations must clearly set forth all requirements the bidder must fulfill in order for the bid or offer to be evaluated by the recipient. However, those specifications may not be so narrowly constructed or contain features which unduly limit, restrict or eliminate competition unnecessarily. If the specifications for procurement are provided by a vendor or manufacturer of a specific product, that vendor or manufacturer cannot submit a bid for the procurement. See Conflicts of Interest below.

Grantees must, on request, make available to DHS, pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc., if (1) the procurement specifies a "brand name" product or (2) the proposed award is to be granted to other than the apparent low bidder under a sealed bid process. Grantees found to be using proprietary specifications may find their expenditures questioned and subsequently disallowed.

(9) Conduct all bidding activities (solicitation, receipt, and evaluation) after award, *i.e.*, during the period of performance. Quotes obtained prior to submittal of the

application - for the purposes of applying for this grant - are not considered to be sufficient to satisfy the requirements for competition as outlined at 44 CFR Part 13. Grantees may jeopardize their awards by not adhering to these requirements.

- (10) Avoid conflicts of interest to ensure objective vendor performance and eliminate a real or an apparent unfair, competitive advantage. Grantees must assure that anyone who develops or drafts specifications, requirements, statements of work (including the grant application), invitations for bids and/or requests for proposals are excluded from competing for such procurements. Grantees must assure no employee, officer or agent of their organization participates in the selection, award or administration of any procurement supported by Federal funds if a real or an apparent conflict of interest is involved. A conflict of interest could arise when any of the following conditions exists:
 - a) An officer, employee or agent of the grantee has a financial or other interest in the vendor selected for the procurement.
 - b) Any member of the grantee's officers, employees or agents immediate family has a financial or other interest in the vendor selected for the procurement.
 - c) An organization which employs a grantee's officer, employee or agent is a vendor or has a financial or other interest in the vendor selected for the procurement.

For the purposes of this program, DHS considers volunteers of an organization and grant writers to be employees, officers and/or agents of the grantee. As such, grantees must assure no volunteer or member of their organization or anyone involved in the application for funding participates in, or benefits from, the procurement if Federal funds are involved. Grantees who select vendors employing volunteers or members of the organization must document how they avoided a conflict of interest during their procurement process. Grantees who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed.

- (11) Adhere to all ARRA required reporting requirements. Recipients of Federal awards from funds authorized under Division A of the ARRA must comply with all requirements specified in Division A of the ARRA (Public Law 111-5), including reporting requirements outlined in Section 1512 of the Act. For purposes of reporting, recipients of ARRA funds must report on sub-recipient activities as specified below. The reports must be submitted quarterly and not later than 10 days after the end of each calendar quarter, starting with the first calendar quarter after award. For example, if reporting for the quarter ending June 30, 2009, the quarterly report is due by July 10, 2009. The recipient must submit a report to DHS who will, in turn, post the information to Recovery.gov. The reports must contain the following information:
 - a) The total amount of ARRA funds under this award
 - b) The amount of ARRA funds received under this award that were obligated and expended to projects or activities

- c) The amount of unobligated award balances
- d) A detailed list of all projects or activities for which ARRA funds under this award were obligated and expended, including
 - i) The name of the project or activity
 - ii) A description of the project or activity
 - iii) An evaluation of the completion status of the project or activity
 - iv) An estimate of the number of jobs created and the number of jobs retained by the project or activity
 - v) For infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and the name of the person to contact at the agency if there are concerns with the infrastructure investment.
- e) Detailed information on any subcontracts or sub-grants awarded by the grant recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282). For any sub-award equal to or larger than \$25,000, the following information:
 - i) The name of the entity receiving the sub-award
 - ii) The amount of the sub-award
 - iii) The transaction type
 - iv) The North American Industry Classification System code or Catalog of Federal Domestic Assistance (CFDA) number
 - v) Program source
 - vi) An award title descriptive of the purpose of each funding action;
 - vii) The location of the entity receiving the award
 - viii)The primary location of performance under the award, including the city, State, congressional district, and country
 - ix) A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity.
- All sub-awards less than \$25,000 or to individuals may be reported in the aggregate, as prescribed by DHS
- g) Recipients must account for each ARRA award and sub-award separately. Recipients will draw down funds on an ARRA award by ARRA award basis. Pooling or commingling of ARRA award funds with other funds for drawdown or other purposes is not permitted.
- h) Recipients must account for each ARRA award by referencing the assigned CFDA number for each award.

The definition of terms and data elements, as well as any specific instructions for reporting, including required formats, will be provided in subsequent guidance issued by FEMA.

(12) Make grant files, books, and records available, if requested, for inspection to ensure compliance with any requirement of the grant program. Grantees are required to maintain and retain backup documentation such as bids, quotes and

cost/price analyses on file for Federal auditors. The required documentation for federally funded purchases includes specifications, solicitations, purchase orders, invoices, cancelled checks, copies of competitive quotes or proposals and basis for selection. Grantees who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed.

- (13) Follow the audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations. Grantees who expend \$500,000 or more in Federal funds during the year they were awarded (from all Federal sources) must have a single audit performed in accordance with the Circular. (For more information about the Circulars, go to www.whitehouse.gov/omb/circulars.)
- (14) Include to the maximum extent practicable, "green" purchasing requirements and clauses in the projects funded herein. "Green" products include recycled content products; environmentally preferable products; alternative fuels; hybrid and alternative fuel vehicles; non-ozone depleting substances; renewable energy; USDA designated bio-based products; and Environmental Protection Agency (EPA) designated items containing recovered materials. Grantees will be required to identify, track, and report on the purchase and use of these initiatives that contribute to energy conservation and carbon emission.

C. Monitoring

Grant recipients' projects will be monitored periodically by DHS staff, both programmatically and financially, to ensure the project goals, objectives, performance requirements, timelines, milestone completion, budgets and other related program criteria are met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. In addition, it will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each project. It will also identify areas where technical assistance and other support are needed.

D. Grant Closeout Process

Within 90 days after the end of the period of performance, grantees must submit a final closeout report detailing all accomplishments throughout the project. The grantee is responsible for returning any funds that have been drawn down but remain un-liquidated in grantee financial records. After the closeout report has been reviewed and approved by DHS, a closeout notice will be emailed to the grantee to acknowledge the official close out of the grant.