

**City of Carson City
Agenda Report**

Date Submitted: November 8, 2010 **Agenda Date Requested:** November 16, 2010
Time Requested: Consent Agenda

To: Mayor and Supervisors

From: Carson City Sheriff's Office

Subject Title: Action to approve the Nevada Department of Public Safety, Division of Emergency Management Grant 97067HL6, in the amount of \$40,890.00 (Ken Furlong)

Staff Summary: This grant will enhance the capabilities of the Carson City Sheriff's Office, Investigations Division. The grant will purchase much needed equipment that will allow investigators to keep up-to-date with the growing technology in the Forensic Field. The grant will fund equipment used in the Crime Lab as well as in Investigations. Some of the equipment such as cameras, lenses and Infrared lenses will allow investigators to conduct surveillance from a far greater distance and in near darkness conditions. In addition, the grant provides funding for equipment which will enhance forensic examination of mobile devices, including specialized training in the mobile forensic field, and a desktop computer to run Mobile forensic software and mobile forensic computer write blockers.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to accept the Nevada Department of Public Safety, Division of Emergency Management Grant 97067HL6, in the amount of \$40,890.00.

Explanation for Recommended Board Action:

Applicable Statute, Code, Policy, Rule or Regulation: N/A

Fiscal Impact: There is no financial impact to the city as this is a no-match grant and includes the costs of all associated expenditures.

Explanation of Impact: See Above

Funding Source: This grant is being funded by the State Homeland Security Program, through the Nevada Department of Public Safety, Division of Emergency Management.

Alternatives: No participation in the grant.

Supporting Material: Grant award and approved budget.

Prepared By: Kathie Heath, Business Manager

Reviewed By: [Signature]
(Department Head)

Date: 11/8/10

[Signature]
(City Manager)

Date: 11/8/10

[Signature]
(District Attorney)

Date: 11/8/10

[Signature]
(Finance Director)

Date: 11/8/10

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

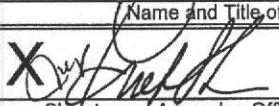
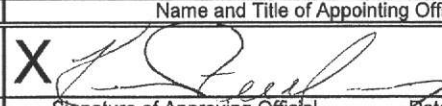
STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF EMERGENCY MANAGEMENT

Grant Award			
SUBGRANTEE:	Carson City Sheriff's Office	PROJECT NO:	97067HL6
ADDRESS:	911 E. Musser Carson City, Nv. 89701		
PROJECT TITLE:	Department of Homeland Security (DHS) Grant FFY06 - State Homeland Security Program (SHSP)	FEDERAL GRANT FUNDS:	\$40,890.00
GRANT PERIOD:	10/26/2010-12/31/2010	MATCHING FUNDS:	\$0.00
		TOTAL:	\$40,890.00

APPROVED BUDGET FOR PROJECT		
CATEGORY	TOTAL PROJECT COSTS	
Equipment (approved budget attached)		\$40,890.00
TOTAL		\$40,890.00

This award is subject to the requirements (federal, program and financial assurances) established by the federal government and Division of Emergency Management, Nevada Department of Public Safety. This award is subject to availability of federal funding.

Special Conditions: (If Applicable) This project is approved subject to such conditions or limitations as set forth on the attached page(s).

AGENCY APPROVAL		SUBGRANTEE ACCEPTANCE	
Frank S. Siracusa, Chief		Ken Furlong, Sheriff	
Name and Title of Appointing Official		Name and Title of Appointing Official	
 Signature of Approving Official	11-1-10 Date:	 Signature of Approving Official	Date:

Form: OEM-001

CONFIRMATION COPY

HOMELAND SECURITY GRANT PROGRAM (HSGP)
FFY06

INVESTMENT JUSTIFICATION FUNDING SUMMARY

STATE APPLICATION

PRIORITY #	INVESTMENT NAME	AEL	FUNDING SOURCE		TOTAL
			SHSP		
1.	Cellular Extracation Equipment (Cellbrite Pro)	13LE-00-SURV	\$ 3,999.00	\$	\$ 3,999.00
2.	Stronghold Box	13LE-00-SURV	\$ 2,495.00	\$	\$ 2,495.00
3.	Remote Area Lighting System	03OE-03-LTPA	\$ 1,300.00	\$	\$ 1,300.00
4.	Cell Phone Analyzer Software	13LE-00-SURV	\$ 745.00	\$	\$ 745.00
5.	Flasher Box Kit	13LE-00-SURV	\$ 275.00	\$	\$ 275.00
6.	Flash Box (Motorola)	13LE-00-SURV	\$ 160.00	\$	\$ 160.00
7.	Flash Box (Sony)	13LE-00-SURV	\$ 235.00	\$	\$ 235.00
8.	Flash Box (Samsung)	13LE-00-SURV	\$ 165.00	\$	\$ 165.00
9.	Flash Box (LG)	13LE-00-SURV	\$ 225.00	\$	\$ 225.00
10.	Laser scan Hidden Camera detector	13LE-00-SURV	\$ 169.00	\$	\$ 169.00
11.	Handheld GPS	04AP-02-DGPS	\$ 335.00	\$	\$ 335.00
	Computer Write Blocker - mobile	04HW-01-INHW	\$ 255.00	\$	\$ 255.00
12.	Computer Write Blocker - stationary	04HW-01-INHW	\$ 449.00	\$	\$ 449.00
13.	DVD double Layer drive	04HW-01-INHW	\$ 180.00	\$	\$ 180.00
14.	Camera IR	04MD-01-CMRA	\$ 4,200.00	\$	\$ 4,200.00
15.	CSI stick (Paraben)	13LE-00-SURV	\$ 199.00	\$	\$ 199.00
	Phone Image Carver	13LE-00-SURV	\$ 69.00	\$	\$ 69.00
	Key chain camera	13LE-00-SURV	\$ 262.00	\$	\$ 262.00
	Bar Code Printer	04HW-02-BARC	\$ 300.00	\$	\$ 300.00
	MP3 hidden camera	13LE-00-SURV	\$ 100.00	\$	\$ 100.00
	Advanced Cellular class/phone (Teel Tech)	13LE-00-SURV	\$ 4,000.00	\$	\$ 4,000.00
	Portable Printer (Canon)	04HW-01-INHW	\$ 250.00	\$	\$ 250.00
	Ink	04HW-01-INHW	\$ 50.00	\$	\$ 50.00
	Camera (Assessor)		\$	\$	\$
	Strobe Kit for Digital camera	04MD-01-CMRA	\$ 500.00	\$	\$ 500.00
	Nikon Battery	04MD-01-CMRA	\$ 300.00	\$	\$ 300.00
	camera light	04MD-01-CMRA	\$ 345.00	\$	\$ 345.00
	NikonSpeedlight system	04MD-01-CMRA	\$ 715.00	\$	\$ 715.00
	Adobe Photoshop CS5 software	04MD-01-CMRA	\$ 1,000.00	\$	\$ 1,000.00
	Camera memory cards	04MD-01-CMRA	\$ 200.00	\$	\$ 200.00
	Camera (digital)	04MD-01-CMRA	\$ 5,200.00	\$	\$ 5,200.00
	Ever Focus IR Illuminator	04MD-01-CMRA	\$ 260.00	\$	\$ 260.00
	Camera Lens (50mm)	04MD-01-CMRA	\$ 700.00	\$	\$ 700.00
	Camera Lens (telephoto)	04MD-01-CMRA	\$ 1,900.00	\$	\$ 1,900.00
	Free Linc (wireless Mics) (4)	13LE-00-SURV	\$ 1,092.00	\$	\$ 1,092.00
	Baker Bat Shield	01LE-01-SHLD	\$ 3,745.00	\$	\$ 3,745.00
	Baker bat shield accessories	01LE-01-SHLD	\$ 603.00	\$	\$ 603.00
	computer	04HW-01-INHW	\$ 1,600.00	\$	\$ 1,600.00
	computer accessories	04HW-01-INHW	\$ 35.00	\$	\$ 35.00
	Tac Optics scope	04MD-01-CMRA	\$ 300.00	\$	\$ 300.00
	Pelican case (cameras)	04MD-01-CMRA	\$ 130.00	\$	\$ 130.00
	Pelican case (printers)	04HW-01-INHW	\$ 130.00	\$	\$ 130.00
	Plate vest cameras	01LE-01-ARMR	\$ 480.00	\$	\$ 480.00
	Molle gear for Vest	01LE-01-ARMR	\$ 796.00	\$	\$ 796.00
	Wireless ear pieces	13LE-00-SURV	\$ 440.00	\$	\$ 440.00
	TOTALS		\$ 40,890.00	\$	\$ 40,890.00
	Total Grant		\$	\$	\$ 40,890.00

TOTAL HSGP PROGRAM FUNDS AVAILABLE FOR ALLOCATION: \$

FEDERAL ASSURANCES

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

- I. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- II. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.
- III. It will comply with provisions of federal law which limit certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)
- IV. It will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act.
- V. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- VI. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
- VII. It will comply with all requirements imposed by the federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
- VIII. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
- IX. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
- X. Environmental and Historic Preservation Compliance. FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA funding. FEMA, through its Environmental and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898).
 - a. Any project with the potential to impact EHP resources (see Section E.8) cannot be initiated until FEMA has completed its review. The sub-grantees shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements.

- b. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives. For certain types of projects, FEMA must consult with other Federal, state and local agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other Federal, State, Local and Tribal Nations agencies and organizations responsible for protecting natural and cultural resources.
 - c. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA's EHP review and consultation may result in a substantive agreement between the involved parties outlining how the sub-grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period.
 - d. Sub-grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts.
 - e. Failure of the sub-grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.
- XI.** It will comply, and assure the compliance of all its sub-sub-grantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable federal laws, orders circulars, or regulations.
- XII.** It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
- XIII.** It will comply, and all its sub-grantee and contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.
- XIV.** Services to limited English proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title 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.
- a. 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.
 - b. The sub-grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. For additional information, see <http://www.lep.gov>. Integrating individuals with disabilities into emergency planning. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people

with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial funding from FEMA.

- c. Executive Order #13347, entitled "Individuals with Disabilities in Emergency Preparedness" signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
 - d. Executive Order 13347 requires the federal government to, among other things, encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.
 - e. FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws:
Guidelines for Accommodating Individuals with Disabilities in Disaster: The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field.
 - i. Guidelines are available at, <http://www.fema.gov/oer/reference/>
 - ii. Disability and Emergency Preparedness Resource Center: A web based "Resource Center" that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities can be found at, <http://www.disabilitypreparedness.gov>
 - iii. Emergency Planning for Persons with Disabilities and Special Needs: <http://www.LLIS.gov>
- XV. In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
- XVI. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.
- XVII. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
- XVIII. Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the 2008 DHS Appropriations Act, all FY 2008 grant funds must comply with the following two requirements:
 - a. None of the funds made available through shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
 - b. None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).
- XIX. HSPD-5 requires that federal agencies tie federal preparedness funding eligibility directly to progress on **NIMS implementation**. Inability to demonstrate compliance with required NIMS implementation activities could affect federal preparedness funding at any level of government – state agency, county, local jurisdiction or department. Those receiving, or planning to receive, federal preparedness funding from any federal sources should examine the applicable grant guidance to determine eligibility requirements.
- VICTIMS PROTECTION ACT OF 2000**
- XX. Implements section 106(g) of the trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. 7104 (g)).
- CLASSIFIED NATIONAL SECURITY INFORMATION**
- XXI. "Classified national security information" as defined in the Executive Order (EO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

TRANSPARENCY ACT

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

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

NAME: LAWRENCE A. WERNER TITLE: CITY MANAGER

SIGNATURE:  DATE: 11/2/10

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

FEDERAL CERTIFICATIONS

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

I. LOBBYING

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

II. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

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

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

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

1. The applicant certifies that it will or will continue to provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sub-grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

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

IV. NON-SUPPLANTING CERTIFICATION

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

VICTIMS PROTECTION ACT OF 2000

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

CLASSIFIED NATIONAL SECURITY INFORMATION

- VI. "Classified national security information" as defined in the Executive Order (EO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

TRANSPARENCY ACT

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

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

NAME: LAWRENCE A WERNIG TITLE: CITY MANAGER
 SIGNATURE: [Signature] DATE: 11/2/10

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

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

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

I. FEDERAL SINGLE AUDIT

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

II. FISCAL RESPONSIBILITY

1. Financial management must comply with the requirements of OMB Circular A-102 or 2 CFR, Part 215 (*A-110*), whichever is applicable to your organization, and which are incorporated into these assurances by reference.
2. All grant expenditures are to be reasonable and allowable in accordance with 2 CFR Part 220 (*A-87*), 2 CFR Part 225 (*A-122*) or 2 CFR Part 230 (*A-122*), whichever is applicable to your organization, and which are incorporated into these assurances by reference.
3. Payment made by the DEM to the sub-grantee shall be on a reimbursement basis only and is conditioned upon receipt of applicable, accurate and complete reimbursement and match supporting documentation to be submitted by the sub-grantee. All payments will be contingent upon receipt of all fiscal and programmatic reports required of the sub-grantee under these assurances.
 - a. Supporting documentation shall include, but is not limited to invoices, documented program/project deliverables, travel claims, payment vouchers, payroll reports, staffing/volunteer timesheets, contracts, bid/procurement process documentation, lease agreements, agenda's, meeting attendance documentation, training documentation, After Action Reports (AAR), Authorized Equipment Lists (*AEL*), Central Contractor Registry (CCR), Excluded Parties Listing (*EPLS*) and must be cross referenced to approved budgets.

- b. All equipment requested must be on the approved equipment list (*AEL*). The DEM will not reimburse for any equipment purchased which is not identified on the AEL list or is not on the approved Budget Detail Matrix.
- 4. The sub-grantee is aware of and shall comply with the cost-sharing requirements of the federal grant program (*if applicable*).
 - a. Match supporting documentation must be kept in the same manner as reimbursement supporting documentation for grant funds and meet the following criteria for costs to be eligible as match:
 - 1. The costs must be allowable under the grant program.
 - 2. The costs must be in compliance with all Federal requirements and regulations (*i.e., 44 CFR Part 13 and 2 CFR Part 215, Part 225, Part 230 and OMB Circular A-102 as applicable to your organization*).
 - 3. The costs must be reasonable, allowable, allocable, and necessary.
 - 4. The following documentation is required for third-party cash and in-kind contributions, but is not limited to: Record of donor; Dates of donation; Rates for staffing, equipment or usage, supplies, etc.; Amounts of donation; and Deposit slips for cash contributions. According to 44 CFR § 13.24, this documentation is to be held at the applicant and sub-applicant level.
 - 5. Except as provided by Federal statute, a cost sharing or matching requirement may not be met by costs borne by another Federal grant or Federal funding.
 - 6. The source of the match funds must be identified in the grant application.
 - 7. Every item must be verifiable, *i.e.*, tracked and documented.
 - 8. Any claimed cost share expense can only be counted once.
- 5. Sub-grantees will comply with the FEMA/Grant Programs Directorate policy regarding the use of preparedness grant funding for sustainment costs. Grant funds may be used to cover only those maintenance agreements, user fees, and other sustainment costs provided during the grant performance period in which the device was purchased.
- 6. Sub-grantees may not use future year preparedness grant funding to pay for additional agreements and user fees. All ongoing expenses after the performance period has expired are the responsibility of the grantee/sub-grantee and will not be paid for with FEMA preparedness grant funding.
 - a. Sub-grantee's may use FEMA preparedness grant funding to pay for maintenance agreements, user fees, and other sustainment costs as long as:
 - 1. The equipment was purchased with FEMA preparedness grant funding.
 - 2. The sustainment costs fall within the performance period of the grant that was used to purchase the equipment.
 - b. Sustainment costs are eligible under the equipment category unless the equipment is M&A related (grants management equipment).

III. FISCAL REPORTING RESPONSIBILITY

- 1. Quarterly financial reports with supporting documentation shall be submitted to the DEM within 30 days, but no later than 45 days following the close of each quarter of the sub-grant period. The final financial report must be submitted to the DEM no later than 60 days following the end of the sub-grant period. Late reports, unless approved by the DEM, could delay reimbursement or result in non-payment of the claim. All forms used for reporting are provided by the DEM. The submission of inaccurate or incomplete information with unapproved reporting documentation and/or templates will result in the rejection of the Quarterly report.
As applicable for grant programs, reports consist of, but are not limited to:
 - a. Division of Emergency Management Quarterly Financial Report
 - b. Quarterly Progress Summary
 - c. Program Narrative
 - d. Approved Detailed Budget
 - e. Quarterly Project Plan/Work Plan (*EMPG*).

f. **Compliance with HSGP Directive 1.1, Reallocation/Redirect of the Homeland Security Grant Program (HSGP). Please see attached for the complete Directive.**

2. Sub-grantee understands that, except for extraordinary circumstances that will be handled on a case-by-case basis, requests to transfer funds between budget categories, or requests to purchase items not previously authorized will not be approved. Written approval must be obtained from the DEM prior to the transfer of funds between budget categories or the expenditure of funds for newly identified items. All requests must be submitted to the DEM on the approved Project Change Request form. The Project Change Request form must be accompanied by, but is not limited to, a Revised Budget Detail Matrix and written justification.

IV. FUNDS MANAGEMENT

1. The sub-grantee must maintain funds received under these assurances in separate ledger accounts and cannot mix these funds with other sources. The sub-grantee must manage funds according to applicable federal regulations for administrative requirements, costs principles and audits.
2. The sub-grantee must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained include, but are not limited to: Financial Management, Procurement, Personnel, Equipment, Property and Travel.
3. A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

V. PROGRAM RESPONSIBILITY

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

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

- a. Division of Emergency Management Quarterly Financial Report
 - b. Quarterly Progress Summary
 - c. Program Narrative
 - d. Approved Detailed Budget
 - e. Quarterly Project Plan
2. A completed Project Plan form shall be submitted to DEM prior to issuance of any sub-grant.
 - a. The project plan must clearly document all individual projects, milestones, tasks, deliverables and timelines, must support and be traceable to the approved Budget Detail Matrix and the federally approved Investment Justification.
 - b. Late submission could result in delay of reimbursement, and failure to comply could result in non-payment of reimbursement claims.
 3. The Program Narrative for exercises shall address the following required elements of the Nevada Exercise Program (*contact the DEM for the Nevada Exercise Program instructions if applicable to your program*): All training funded by DHS grants must be pre-approved by the State DEM Training Officer. Requests for the use of Homeland Security Grant Program (HSGP) funding in support of training programs/and or individual requests must be coordinated and approved by: Your local jurisdiction, your county (Emergency Manager) or designated Training Coordinator, the State Administrative Agency(SAA) Nevada Division of Emergency Management and the SAA Training Point of Contact (TPOC). The jurisdiction/ or individuals must obtain this approval prior to any commitment for any requested training utilizing Homeland Security funds. Detailed instruction and forms are attached.
 - a. Annual participation in the Training and Exercise Plan Workshop (TEPW) to collaborate with all agencies in the development, planning and implementation of the Multi-Year Exercise and Training Plan (MYTEP) regarding training and exercise types, dates, locations, target capabilities, and/or Federal funding.
 - b. Each county-level jurisdiction will identify a National Exercise Schedule (NEXS) point of contact that will serve as the Exercise Scheduler. The county-level Scheduler will be responsible for the submission

of all required exercise information to the NEXS website. This requires approval by the State Exercise Officer.

- c. Electronic submission of the AAR/IP to the DEM within 60 days of the conduct of the exercise utilizing the DHS-approved format and process.
 1. One hard copy of the AAR/IP shall be submitted to the DEM Exercise Training Officer and one electronic copy of AAR/IP shall be submitted via the DHS Secure Portal in the Nevada Folder with an email notifying the State of Nevada Exercise Training Officer of the submission.

VI. EQUIPMENT MANAGEMENT

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

1. As required by 44 CFR Ch I, § 13.32 Equipment, the Division of Emergency Management, for compliance monitoring purposes as policy for all state agency sub-grantees equipment/asset management internal controls/policies and procedures will follow the regulatory compliance of the Nevada SAM 1544.0, NRS 354.625 and NRS 333.220, which applies a state mandated \$1,000.00 per unit threshold.
2. As required by 44 CFR Ch I, § 13.32 Equipment, all other Local, Indian Tribal Governments, higher education, hospitals, and other non-profit sub-grantees for compliance monitoring purposes as policy will follow the regulatory compliance of 44 CFR Ch I, § 13.32 which applies a federally mandated \$5,000.00 per unit threshold.
3. Accurate records maintained on all acquisitions and dispositions of property acquired with Federal awards.
4. Federally funded equipment records must contain description (including serial number or other identification number), source, who holds title, acquisition date and cost, percentage of Federal participation in the cost, location, condition, and disposition data.
5. Property tags are placed on equipment.
6. At a minimum, a physical inventory of the Federally funded property must be taken and reconciled with the property records at least once every two years in accordance with 44 CFR Part § 13 or by jurisdictional regulation or guidance.
7. Procedures established to ensure that the Federal awarding agency is appropriately reimbursed for dispositions of property acquired with Federal awards.
 - a. When the equipment is no longer needed, the grantee or sub-grantee will request disposition instructions from the Federal agency.
 - b. Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the federal awarding agency.
 - c. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the federal awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the federal awarding agency's share (*the Federal percentage of participation*) of the equipment.
8. Policies and procedures in place for responsibilities of recordkeeping and authorities for disposition.

VII. SUB-GRANTEE MONITORING

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

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

VIII. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

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

IX. INDEMNIFICATION

1. Sub-grantee agrees to indemnify, save and hold the state, its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this agreement by sub-grantee, its agents or employees.

X. CONFIDENTIALITY OF RECORDS

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

XI. ASSIGNMENT AND DELEGATION

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

XII. DEBARMENT CERTIFICATION

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

XIII. CONTRACTORS

1. The sub-grantee may enter into written contract(s) for products and/or services pertaining to its functions under the grant award in accordance with terms established in the State of Nevada procurement policy, OMB Circulars, the DHS Financial Management Guide, and the DHS Program Guides.
2. The sub-grantee agrees and understands that no contract that the sub-grantee enters into with respect to performance under the grant award shall in any way relieve the sub-grantee of any responsibilities for performance if its duties.

XIV. NATIONAL INCIDENT MANAGEMENT MANAGEMENT SYSTEM (NIMS)

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

XV. APPLICABLE FEDERAL REGULATIONS

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

1. Grant Program Guidance issued by the U.S. Department of Homeland Security, at <http://www.fema.gov/government/grant/index.shtml>
2. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at http://www.whitehouse.gov/omb/circulars_a133/
3. OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments, at http://www.whitehouse.gov/omb/circulars_a102/
4. 2 CFR, Part 215, Uniform administrative requirements for grants and agreements with institutions of higher education, hospitals, and other non-profit organizations (OMB A-110), at <http://www.whitehouse.gov/omb/assets/omb/circulars/a110/2cfr215-0.pdf>
5. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB A-21), at http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a21.pdf
6. 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB A-87), at http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a87.pdf

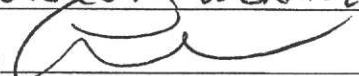
7. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (*OMB A-122*), at http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a122.pdf
8. 44 CFR Part 13, Emergency Management and Assistance, at http://www.access.gpo.gov/nara/cfr/waisidx_08/44cfr13_08.html
9. U.S. Department of Homeland Security Authorized Equipment List (AEL) available at <https://www.rkb.us/mel.cfm?subtypeid=549>

XVI. TERMINATION

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

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

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

NAME: Lawrence A. Werner TITLE: City Manager
 SIGNATURE:  DATE: 11/2/10

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

REALLOCATION/REDIRECT
of
HOMELAND SECURITY GRANT PROGRAM (HSGP) FUNDS

BACKGROUND

The State of Nevada began receiving Weapons of Mass Destruction (WMD) grant funds, and subsequently HSGP grant funds from the federal government in FFY99. Beginning with the FFY06 funding cycle the DHS restructured its programs to require that states receiving this funding develop statewide projects that would seek development and achievement of each of 37 capabilities that are included in its Target Capability List (TCL). This resulted in a requirement to establish projects (initiatives) that would be combined within an Investment to be included in the compilation of Investments (not to exceed 15 statewide and 15 for the urban area) making up the State's Investment Justification (application) to the DHS for each federal fiscal year funding cycle.

Upon implementing the changes that began with the FFY06 grant cycle, the State Administrative Agency (SAA), in cooperation with the Urban Area Administrator (UAA), created the Homeland Security Working Group (HSWG) with multi-jurisdiction, multi-discipline representatives. In brief, the HSWG then became the body that would develop, review and provide recommendations to the Nevada Commission on Homeland Security (NCHS) as to the Investments that were created for consideration and inclusion in the Investment Justification submitted to the DHS on behalf of the State for each funding cycle. Through this process, the HSWG identified "Project Leads" that would be responsible for the development of the Investments and associated budgets as well as program oversight of the statewide Investments inclusive of implementation, budget management and financial/program reporting for each Investment respectively.

With these FFY06 changes and the necessary modifications to state-level practices being in their infancy, it was recommended to and approved by the NCHS that any cost savings within each Investment budget would remain within that budget to further build the associated capability(ies). However, beginning with the FFY08 grant cycle, it became apparent that Investments were running the risk of not completing projects and/or spending their budgeted funds within each prescribed performance period, therefore creating the potential for reversion of these funds to the federal government. Additionally, following review of each of the Investment budgets, it was determined that there were overlaps in funding between grant cycles resulting in inflated budgets. These concerns and others, in part, have resulted in the NCHS's creation of a Finance Committee that now reviews all Investments and budgets for presentation of recommendations and findings to the full NCHS. The development of and subsequent amendments to this Directive, with approval of the NCHS, is in support of the NCHS in its efforts to effectively fulfill responsibilities pertaining to the HSGP as ascribed to them pursuant to the Governor's Executive Order that was issued on November 26, 2008.

PURPOSE

The purpose of this Directive is to establish policies that will provide consistency and standardization in managing occurrences of cost savings within budgets that may be reallocated to achieve new or enhance existing capabilities, and requirements for consideration of requests to redirect funds, within an approved budget, for a different purpose (change of intent).

Additionally, this Directive is intended to provide guidance to the SAA (DEM) and its subgrantees in the requirements of identifying, reporting and addressing funds that will be subject to these provisions relative to the reallocation and/or redirect of funds within each grant funding cycle.

ASSUMPTION

As with any budget process, the development of a budget is largely based upon the anticipated needs ("best guess") of what will be necessary for meeting the costs of an organizational operation and/or completion of a project. Therefore, it is often times impossible to predict the impact of inflation, budget for unforeseen events/opportunities or anticipate cost overruns due to unknown elements (i.e., additional components necessary for equipment, additional information technology requirements, etc.). While major costs should be known and identified during the budget development process, it is understood that there are times when it is not always feasible to be fully aware of all possibilities.

The policy section that follows is intended to streamline and provide the necessary guidelines to ensure the best utilization of these limited resources while providing adequate flexibility in managing each of the projects for achievement of the maximum level of progress in establishing new, improving and enhancing existing statewide capabilities.

POLICY

Effective with the FFY10 HSGP grant cycle, the performance period for each subgrant will be 18 months to allow for adequate time in reallocating and/or redirecting HSGP funds as necessary.

Extensions to the subgrant performance period will be approved by the NCHS only. The subgrantee must provide a written request for extension to the SAA (DEM) at least three (3) months prior to the end of the subgrantee performance period.

Reallocation of Funds (effective beginning with the FFY09 HSGP grant cycle)

Reallocation of funds can occur for two reasons which are: 1) Cost savings; and 2) A project lead has experienced a cost shortfall within a budget line item of an existing project due to unforeseen circumstances. ALL requests for reallocation of funds resulting

from cost shortfall within an existing budget **must** be submitted to the SAA (DEM) using the Project Change Request form. Please submit the request to the SAA (DEM) at dhsgrants@dps.state.nv.us.

Reallocation of funds will be considered at two (2) levels as follows:

Level 1

1. Any available funds realized as a result of cost savings, that are not justified in writing (Project Change Request) as a need for an unforeseen cost shortfall, will automatically be reverted to the SAA (DEM) on or before the end of the subgrant performance period for pooling and subsequent presentation before the NCHS for reallocation following the end of the subgrant performance period; or
2. Any requests for reallocation within an existing approved budget that exceeds ten percent (10%) or fifty thousand dollars (\$50,000), whichever is less, per budget category cumulatively, must be approved by the NCHS.

Level 2

1. The SAA (DEM) will be responsible for the review of all "Project Change Requests" to ensure that the change(s) requested is compliant with federal guidance, which may also require seeking approval from the DHS. Any "Project Change Requests" exceeding the authority of number 2 within this section (Level 2) will be deferred to the NCHS for review and final approval.
2. Any requests for reallocation within an existing approved budget that does not exceed ten percent (10%) or fifty thousand dollars (\$50,000), whichever is less, per budget category cumulatively, may be approved by the SAA (DEM) as long as it is due to a cost shortfall or unforeseen circumstance that, if denied, would result in the loss of progression for completion of the project in the grant period or missed training opportunity for a specialized capability (i.e., fusion centers, ILO's, TLO's, bomb squads, etc.). The SAA (DEM) reserves the right to defer any requests under this level to the NCHS.

In the event that a request for reallocation of funds is time sensitive and is subject to the provisions of Level 1, the Chairman of the NCHS or his/her designee may approve the request and place an informational item on the agenda of the next scheduled meeting of the NCHS.

Redirect of Funds (effective beginning with the FFY09 HSGP grant cycle)

A redirect of funds is defined as a change of intent for use of funds from the originally approved budget by line item. It is import to remember that the approved budget has been approved by line item detail with the subgrant award issued to reflect the same. Any request for an addition and/or deletion of a line item is considered a change of intent and will be processed as a redirect of funds. Any requests to redirect funds must first be submitted to the SAA (DEM) for review of compliance with federal guidance and

subsequently be presented before, reviewed and approved by the NCHS. Please submit the request to the SAA (DEM) at dhsgrants@dps.state.nv.us. Upon completion of the review for compliance with federal guidance, the SAA (DEM) will forward all documentation to the NCHS with a letter confirming compliance, if applicable.

A request to redirect funds **must** include:

1. A written justification explaining, at a minimum*, the following:
 - a) Impact of not completing the project in the originally approved budget; and
 - b) Explanation as to why the subject for the redirect of funds was not addressed in the original investment or another related investment, if applicable; and
 - c) Benefit to the state's overall capabilities by approving the requested redirect of funds; and
 - d) Anticipated timeline to complete proposed project, inclusive of milestones and anticipated deliverables; and
 - e) Impact of not approving the request to redirect of funds
2. Copy of the original budget
3. Copy of a detailed line-item budget demonstrating the subgrantee's intended use of the funds if the redirect of funds is approved.

In the event that a request for redirect of funds is time sensitive, the Chairman of the NCHS or his/her designee may approve the request and place an informational item on the agenda of the next scheduled meeting of the NCHS.

*The NCHS may require additional information.

Note: If the redirect of funds is approved by the NCHS, it may be necessary to de-obligate the funds from a project and reissue a subgrant for the approved amount depending upon the type of project that is being funded.

RESTRICTIONS

Reallocation and/or redirect of funds will not be approved if the request includes any of the following restrictions:

1. Non-compliance with federal guidance (as stated above)
2. Supplanting – Any request that is seeking to use funds for anything previously funded by state or local funds
3. Misappropriation of funds
4. Commingling of funds
5. Denial by the DHS
6. Inability for projects to be completed within the remaining performance period
7. Non-conformance with the goals and priorities of the NCHS.

SUMMARY

The federal requirements for managing grants often leaves much room for interpretation with respect to each state's management of individual grant programs. While this Directive is exclusive to the HSGP, subgrantees must also comply with the financial and program requirements contained within the DEM Grant Management Guidance. Because it is specific in nature and only applies to the HSGP, the content of this document has been established as a separate Directive. This Directive has been included in the DEM's Grant Management Guidance and was approved by the Nevada Commission on Homeland Security during its meeting on April 7, 2010.

Jim Gibbons
Governor



Jearld Hafen
Director
Frank Siracusa
Chief

Division of Emergency Management and Homeland Security

2478 Fairview Drive

Carson City, Nevada 89701

Telephone (775) 687-0300 • Fax (775) 687-0322 • <http://dem.state.nv.us/>

January 29, 2010

Dear Emergency Managers/Training Coordinators;

Requests for the use of Homeland Security Grant Program (HSGP) funding in support of training programs/and or individual requests must be coordinated and approved by:

Your local jurisdiction, your county (Emergency Manager) or designated Training Coordinator, the State Administrative Agency (SAA) Nevada Division of Emergency Management and the SAA Training Point of Contact (TPOC).

The jurisdiction/ or individuals must obtain this approval prior to any commitment for any requested training utilizing Homeland Security funds.

REQUEST PROCESS/JURISDICTION OR AGENCY/INDIVIDUAL

Step 1: Check to see if your program is already listed in one of the Approved Training Catalogs. If it is, the course is eligible for HSGP funding, but you still need to coordinate the training with the SAA and TPOC. Each training provider has their own process for scheduling training. Contact our office with the course number and title, and we will assist you with your request.

Step 2: If your requested training is NOT in any of the catalogs below, the next step is to ensure that the requested program meets the grant guidelines for training not provided by FEMA (DHS). The SAA and TPOC can assist with this determination, but the more information you provide, the better we can assist.

You will need to submit your request by completing the course request application submit the completed application via fax or email to the TPOC with the following information:

- Course title (and course number if applicable)
- Course description (attach flyer, website, etc)
- Mission area (common, prevent, protect, respond, recover)
- Level of training (awareness, performance, management)
- Training provider (contact information)
- Date of the course
- Anticipated number of attendees
- Associated disciplines of the attendees
- Anticipated costs
- Grant program/year/project

Step 3: The SAA and TPOC will review the course and determine if it is eligible and approved for use of HSGP funds.

Capitol Police • Criminal Justice Assistance • Division Of Emergency Management • Emergency Response Commission
State Fire Marshal • Investigations Division • Highway Patrol Division • Office of Traffic Safety
Parole and Probation • State Board of Parole Commissioners • Training Division

Step 4: If this is a request for a specialized course for an individual or group you must submit the application 60 days in advance to the designated county emergency manager or their appropriate point of contact. Please keep in mind that the approval must be in place prior to course attendance. Failure to meet this requirement could result in a denial of reimbursement for incurred expense. If the program you're requesting is deemed eligible and approved for expenses, jurisdictions/or individuals must report the following to the SAA or TPOC within 30 days after attending training:

- Original Approval from SAA/TPOC, which should include:
 - Course title
 - Course description
 - Mission area
 - Level of training
 - Training provider
 - Reimbursement request and associated invoices

Programs contained in the following catalogs have already been deemed "eligible training", but expenses to support these programs still need to be coordinated with the SAA and TPOC.

FEMA (DHS) Training and Exercise Catalog (TEI)

- TEI/TO
- Federal Catalog
- State Catalog

If the program you're requesting is NOT in any of these catalogs, it is considered **NON-FEMA Training**. Non-FEMA courses are those courses that are either State sponsored or Federal sponsored, coordinated and approved by the State Administrative Agency (SAA) or Training Point of Contact (TPOC), and fall within the FEMA mission scope to prepare State and local personnel to prevent, protect, respond to, and recover from acts of terrorism or catastrophic events. These training programs include, but are not limited to, Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) terrorism, catastrophic events, cyber/agriculture/food security, and citizen preparedness

These courses are developed for and/or delivered by institutions and organizations funded directly by FEMA. The majority of these programs are offered at NO COST. This includes programs offered by the institutions below. Contact the TPOC for details. All course requests must be coordinated with the TPOC for approval.

- The Center for Domestic Preparedness (CDP)
- The National Domestic Preparedness Consortium (NDPC)
- The Rural Domestic Preparedness Consortium (RDPC)
 - National Emergency Training Center
 - National Fire Academy
- Emergency Management Institute
- FEMA Training Partners funded through the Continuing and Demonstration Training grant programs

In order to use HSGP funds, Non-FEMA courses must:

- Build additional capabilities that a) support a specific training need identified by the State, Territory, and Urban Area, and b) comply with the State or Urban Area Homeland Security Strategy
- Address specific tasks and/or competencies articulated in FEMA's Emergency Responder Guidelines and the Homeland Security Guidelines for Prevention and Deterrence
- Address specific capabilities and related tasks articulated in the Target Capabilities List
- Support the specific program training activities identified in the individual HSGP grant programs (SHSP, UASI, MMRS, CCP) for which the funding will be used
- Meet the standards with all applicable Federal, State, and local regulations, certifications, guidelines, and policies deemed appropriate for the type and level of training

CONTACT

For additional information on Grant Funded Training, please contact Nevada Division of Emergency Management, SAA or TPOC.

Capitol Police • Criminal Justice Assistance • Division Of Emergency Management • Emergency Response Commission
State Fire Marshal • Investigations Division • Highway Patrol Division • Office of Traffic Safety
Parole and Probation • State Board of Parole Commissioners • Training Division



Request to Support Training Using Homeland Security Funds

*** Must Submit Prior to any Contracted Services with Training Providers ***

If approval is received, submit copy of this approval form along with reimbursement request

Agencies must follow the State of Nevada or local procurement rules for contracting services from private vendor training providers.

Requests that do not provide adequate information will be returned to the requesting agency

Date of Request: _____

Requesting Agency and Jurisdiction: _____

Agency POC: _____ Phone: _____ E-mail: _____

Grant Number, Project Title (please specify funding source): _____

Estimated Cost: _____ Purpose (tuition, backfill, travel, etc): _____

Course Title: _____

Course Number: _____ (**see note below for FEMA approved course #'s) Requested Dates: _____

Brief Course Description: < Please limit to 3 lines >

Mission Area: PREVENT | PROTECT | RESPOND | RECOVER

Level of Training: AWARENESS | PERFORMANCE | MANAGEMENT

Proposed Location: _____ Estimated Number of Participants: _____

Training Provider: _____

Provider Address: _____

Provider POC: _____ Phone: _____

Provider Web Site (if available): _____

****If above program is a FEMA Approved Program STOP HERE; submit to County EM/USASI/Grant POC for review.**

- FEMA APPROVED PROGRAMS (State, Fed, TEI) are listed in the catalogs found at www.firstrespondertraining.gov.

If the requested program is NOT listed in one of these catalogs, the following information must be provided:

For Non-FEMA Approved Programs, the following information is required:

How does the requested training fall within the FEMA mission scope to prepare State and Local personnel to prevent, protect, respond to, and recover from acts of terrorism and catastrophic events?

< Please limit to 3 lines >

How does the requested training build additional capabilities that support a specific training need identified by the State, Tribal, or Urban Area, and how does the training comport with the State, Territory, or Urban Area Homeland Security Strategy? If funded with an agency-awarded grant, how does this training meet with the award criteria?

< Please limit to 3 lines >

Which specific capabilities and related tasks are addressed as articulated in the *Target Capabilities List (TCL)* and the *Universal Task List (UTL)*? List three (3) to five (5). **Tasks MUST be specific and show a direct link to the training content (click here for TCL - pdf).**

Example: *Res.B1a 4.2.2 - Coordinate operations with specialized teams (SWAT, Bomb Squad, HazMat).*

Select Area: < Enter corresponding task from TCL >

How does this training comport with all applicable Federal, State, and Local regulations, certifications, guidelines, and policies deemed appropriate for the type and level of training?

Occupational Safety and Health Administration (OSHA) and/or National Fire Protection Agency (NFPA) – if applicable:

< Please limit to 2 lines >

Vendor Accreditations and Instructor Qualifications/Certifications:

< Please limit to 2 lines >

*** Must Submit Prior to any Contracted Services with Training Providers ***

If approval is received, submit copy of this approval form along with reimbursement request

Agencies must follow the State of Nevada or local procurement rules for contracting services from private vendor training providers.

Requests that do not provide adequate information will be returned to the requesting agency.

**** Signatures not required if emailed from respective POCs ****

County/UASI/Grant Manager Coordination – The above requested training MEETS | DOES NOT MEET the County/UASI strategy for use of Homeland Security funds.

The County/UASI/Grant POC SUPPORTS | DOES NOT SUPPORT this training request.

Comments: < Why or why not supported >

Name: _____ Signature: _____ Date: _____

Signature not required if emailed from POC. Send to NDEM POC <mailto:mcandee@dps.state.nv.us> or fax to 775-687-0323)

NDEM SAA Training POC: – The above requested training is:

FEMA Approved | Non-FEMA Approved | Conference, Workshop or Seminar | Continuing Education

This program MEETS | DOES NOT MEET the guidelines as prescribed by the Office of Grants and Training.

This program IS | IS NOT eligible for reimbursement.

Comments: < Why or why not eligible >

Name: _____ Signature: _____ Date: _____

NDEM– The above requested training MEETS | DOES NOT MEET the State, Territory, or Urban Area’s Homeland Security Strategy.

Providing that funds are available, this program IS | IS NOT eligible for reimbursement.

Training is APPROVED | DENIED.

Comments: < Why or why not approved >

Name: _____ Signature: _____ Date: _____

NDEM/OHS – For Non-FEMA Approved Programs: If three (3) or more training programs have been reimbursed with Homeland Security Funds the training is no longer eligible for reimbursement.

Agency: _____ Date Hosted/Attended: _____

Agency: _____ Date Hosted/Attended: _____

Agency: _____ Date Hosted/Attended: _____

* Copy to: NDEM SAA Training POC, County/UASI POC, Requesting Agency POC *

- OR -

In lieu of signing, can be accompanied by email review/approval