

**City of Carson City
Agenda Report**

Date Submitted: 6-19-15

Agenda Date Requested: 07-02-15
Time Requested: Consent

To: Mayor and Supervisors
From: Fire Department

Subject Title: For Possible Action: To accept from the Nevada Division of Emergency Management (NDEM) the Emergency Management Performance Grant (EMPG) in the amount of \$72,274.00 (*Bob Schreihans*) rschreihans@carson.org

Staff Summary: The Board of Supervisors is required to accept grants in excess of \$25,000, pursuant to policy. This grant was submitted by the Fire Department through the Nevada Division of Emergency Management. The grant will provide partial funding for the Deputy Emergency Managers position in the Fire Department.

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: To accept from the Nevada Division of Emergency Management (NDEM) the Emergency Management Performance Grant (EMPG) in the amount of \$72,274.00

Explanation for Recommended Board Action: The position being funded by this grant provides for 90% of the Deputy Emergency Manager and 25% of the Management Assistant assigned to this position.

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

Fiscal Impact: The Fire Department will receive \$72,274 to be used for this program. There is a direct match of \$72,274 by the City.

Explanation of Impact: The grant match is already in the budget and will have no additional impact on the General Fund.

Funding Source: General Fund Emergency Management

Alternatives: Do not accept the grant award and discontinue the program.

Supporting Material: Grant

Prepared By, Robert Schreihans, Fire Chief

Reviewed By: Ralph Sch
 (Fire Chief)
Rick Miranda
 (City Manager)
Joseph L. Ward Jr.
 (District Attorney)
Julie Schultz
 (Finance Director)

Date 6/23/15
 Date: 6/23/15
 Date: 6/23/15
 Date: 6/23/15

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
 2) _____ _____

 (Vote Recorded By)

Note; There are two original grant acceptance awards, both copies should be returned to the Fire Department in order to obtain the necessary State Agency Head signatures.

Brian Sandoval
Governor



James M. Wright
Director

**Nevada Division of Emergency Management
Homeland Security**

2478 Fairview Drive
Carson City, Nevada 89701
Telephone: (775) 687-0300 • Fax: (775) 687-0322 • <http://dem.state.nv.us/>

June 12, 2015

Carson City Emergency Management
Attn: Chief Robert Schreihans
777 S. Stewart Street
Carson City, NV 89701

Dear Chief Schreihans:

The Nevada Division of Emergency Management (NDEM) is pleased to enclose the Federal Fiscal Year 2015, Emergency Management Performance Grant (EMPG) award in the amount of \$72,274.00.

The grant performance period is October 1, 2014, through March 31, 2016. The performance period for the personnel category is October 1, 2014, through September 30, 2015. The grant performance period is a condition of this grant award. All grant expenditures and reporting must be completed by the end of the grant performance period to receive reimbursement.

Attached to your award is a copy of the approved budget. If there is a need for modifications to the approved budget, advance approval is required from this division through a "Project Change Request" form.

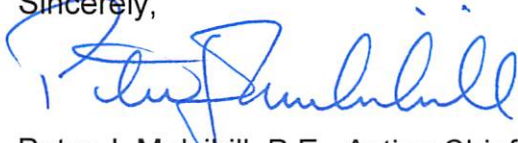
Please complete the following tasks:

- Sign the original award, confirmation copy, and federal and state assurances.
- Return the original grant award and the signed federal and state assurances to the Nevada Division of Emergency Management, 2478 Fairview Drive, Carson City, Nevada, 89701.
- Please retain the confirmation copy, budget, and a copy of the assurances for your records.

Chief Robert Schreihans
June 12, 2015
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If you have any questions, or if we can be of assistance with the administration of this grant, please contact Valerie Sumner, Emergency Management Performance Grant Section, Nevada Division of Emergency Management, at (775) 687-0300.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter J. Mulvihill". The signature is stylized and written over a faint, larger version of the same name.

Peter J. Mulvihill, P.E., Acting Chief
Nevada Division of Emergency Management

PJM/vs/cm



STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY (DPS)
DIVISION OF EMERGENCY MANAGEMENT (NDEM)
OFFICE OF HOMELAND SECURITY (NOHS)
 2478 Fairview Drive, Carson City, Nevada 89701
 Telephone (775) 687-0300, Fax (775) 687-0323

Grant Award	
SUBGRANTEE: Carson City Emergency Management	CFDA / PROJECT NO: 9704215
ADDRESS: 777 S. Stewart Street Carson City, NV 89701	NDEM DUNS: 607025848
PROJECT TITLE: FFY15 Emergency Management Performance Grant (EMPG)	SUB-GRANTEE DUNS: 782889851
GRANT PERIOD: October 1, 2014 through March 31, 2016	FEDERAL GRANT FUNDS: \$72,274.00
Special Notes: Personnel category performance period is from October 1, 2014 through September 30, 2015.	MATCHING FUNDS: \$72,274.00
	TOTAL: \$144,548.00

APPROVED BUDGET FOR PROJECT		
CATEGORY	TOTAL PROJECT COSTS	
PERSONNEL		\$63,470.55
CONSULTANT/CONTRACT		
TRAVEL		\$0.00
SUPPLIES/OPERATING		\$8,803.45
EQUIPMENT		\$0.00
TRAINING		\$0.00
PLANNING		
OTHER		
FEDERAL GRANT TOTAL		\$72,274.00
SUB-GRANTEE MATCH TOTAL		\$72,274.00

This award is subject to the requirements (federal, state financial and program assurances) established by the federal government, the Nevada Department of Public Safety and the Nevada Division of Emergency Management. 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)
 ATTACHMENTS: (1) FEDERAL & STATE ASSURANCES (2) FINANCIAL AND PROGRAM ASSURANCES (3) FEDERAL CERTIFICATIONS (4) SCOPE AND TIMELINE OF WORK (5) LINE ITEM DETAILED BUDGET.

AGENCY APPROVAL	SUBGRANTEE ACCEPTANCE
Peter J. Mulvihill, P.E., Acting Chief	Chief Robert Schreihans
Name and Title of Appointing Official	Name and Title of Appointing Official
X 6/12/2015	X
Signature of Approving Official Date:	Signature of Approving Official Date:

Form: DEM - FFY2012

ORIGINAL



STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY (DPS)
DIVISION OF EMERGENCY MANAGEMENT (NDEM)
OFFICE OF HOMELAND SECURITY (NOHS)
 2478 Fairview Drive, Carson City, Nevada 89701
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AGENCY APPROVAL	SUBGRANTEE ACCEPTANCE
Peter J. Mulvihill, P.E., Acting Chief	Chief Robert Schreihans
Name and Title of Appointing Official	Name and Title of Appointing Official
X 6/12/2015 X Signature of Approving Official Date:	X Signature of Approving Official Date:

Form: DEM - FFY2012

CONFIRMATION COPY

State of Nevada
Department of Public Safety
Division of Emergency Management
Budget Request Detail by Category

EMPG FFY15 - Carson City						
CATEGORY	Authorized Equipment List	EMPG Amt	Match Source	Match Type (in-kind, cash, etc)	Match Amt	TOTAL PROJECT COSTS
Personnel/Fringe Benefits						0.00
Deputy Emergency Manager	90%	36663.75	CC General Fund	Cash	36663.75	73327.50
Fringe Benefits for Above		19646.83	CC General Fund	Cash	19646.83	39293.66
Management Assistant	25%	5087.65	CC General Fund	Cash	5087.65	10175.30
Fringe Benefits for Above		2072.32	CC General Fund	Cash	2072.32	4144.64
Consultant/Contract						0.00
						0.00
						0.00
						0.00
						0.00
Travel						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
Supplies/Operating						0.00
Office Supplies		350	CC General Fund	Cash	350.00	700.00
Operating Costs		2275	CC General Fund	Cash	2275.00	4550.00
Computer Upgrade		1728.45	CC General Fund	Cash	1728.45	3456.90
Internet Reverse Communications		4450	CC General Fund	Cash	4450.00	8900.00
						0.00
						0.00
Equipment						0.00
						0.00
						0.00
						0.00
						0.00
Training						0.00
						0.00
						0.00
						0.00
In-Direct (up to 10% only)						0.00
						0.00
TOTAL		72274.00			72274.00	144548.00
DEM Form 98-2, EMPG 3/11/15						

FEDERAL ASSURANCES

The applicant hereby assures and certifies compliance with all Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars, 2 CFR PART 220, 2 CFR PART 215, 2 CFR PART 230, A-128, A-133, 2 CFR PART 225; 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 2 CFR PART 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 2 CFR PART 215, Institutions of Higher Education, Hospital and other Non-Profit Organizations. Cost Principles, 2 CFR PART 225, State and Local Governments, 2 CFR PART 220, Educational Institutions, 2 CFR PART 230 Non-Profit Organizations and Federal Acquisitions Regulations Sub-Part 31.2, Contracts with Commercial Organizations. In addition, the applicant assures and certifies that:

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

- a. Any project with the potential to impact EHP resources (see Section E.8) cannot be initiated until FEMA has completed its review. The sub-grantees shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements.
 - b. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc.; and possible project alternatives. For certain, types of projects, FEMA must consult with other Federal, state and local agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other Federal, State, Local and Tribal Nations agencies and organizations responsible for protecting natural and cultural resources.
 - c. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA's EHP review and consultation may result in a substantive agreement between the involved parties outlining how the sub-grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period.
 - d. Sub-grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts.
 - e. Failure of the sub-grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.
- XI.** It will comply, and assure the compliance of all its sub-sub-grantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable Federal laws, orders circulars, or regulations.
- XII.** It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including PART 18, Administrative Review Procedure; PART 20, Criminal Justice Information Systems; PART 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; PART 30, Intergovernmental Review of Department of Justice Programs and Activities; PART 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; PART 61, Procedures for Implementing the National Environmental Policy Act; PART 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
- XIII.** It will comply, and all its sub-grantee and contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR PART 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR PART 35 and PART 39.
- XIV.** Services to limited English proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VII of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency.
- a. To ensure compliance with Title VII, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

- b. The sub-grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. For additional information, see <http://www.lep.gov>. Integrating individuals with disabilities into emergency planning. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial funding from FEMA.
- c. Executive Order 13347, entitled "Individuals with Disabilities in Emergency Preparedness" signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
- d. Executive Order 13347 requires the Federal government to, among other things, encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.
- e. FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws:
 - Guidelines for Accommodating Individuals with Disabilities in Disaster: The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field.
 - i. Guidelines are available at, <http://www.fema.gov/oer/reference/>
 - ii. Disability and Emergency Preparedness Resource Center: A web based "Resource Center" that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities can be found at, <http://www.disabilitypreparedness.gov>
 - iii. Emergency Planning for Persons with Disabilities and Special Needs: <http://www.LLIS.gov>
- XV. In the event a Federal or state court or Federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
- XVI. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.
- XVII. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
- XVIII. Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the 2008 DHS Appropriations Act, all FY 2008 grant funds must comply with the following two requirements:
 - a. None of the funds made available through shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, PART 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
 - b. None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).
- XIX. HSPD-5 requires that Federal agencies tie Federal preparedness funding eligibility directly to progress on **NIMS implementation**. Inability to demonstrate compliance with required NIMS implementation activities could affect Federal preparedness funding at any level of government – state agency, county, local jurisdiction or department. Those receiving, or planning to receive, Federal preparedness funding from any Federal sources should examine the applicable grant guidance to determine eligibility requirements.
- XX. **VICTIMS PROTECTION ACT OF 2000**
Implements section 106(g) of the trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. 7104 (g)).

XXI. CLASSIFIED NATIONAL SECURITY INFORMATION

“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.

XXII. TRANSPARENCY ACT

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

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

NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

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

FEDERAL CERTIFICATIONS

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

I. LOBBYING

1. As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR PART 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR PART 69, the applicant certifies that:
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
 - c. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.
 - d. The sub-grantee understands and agrees that it cannot use any Federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Federal awarding agency. Under this Federal certifications section, (I) Lobbying, section d this clause is considered a special condition.

II. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

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

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

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

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

IV. NON-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

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

NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

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

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

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

I. FEDERAL SINGLE AUDIT

1. Sub-grantees shall comply with the Federal Single Audit Act (31 U.S.C. par., 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the sub-grantee must have an annual audit conducted in accordance with OMB Circular A-133 if the sub-grantee expends more than \$750,000 from Federal Awards. If the sub-grantee has expended more than \$750,000 in Federal dollars, a copy of the sub recipient's audit report for the previous fiscal year must be submitted to the Nevada Department of Public Safety for review within the earlier of 30 days after receipt of the auditor's report(s), or 13 months after the end of the audit period, unless a different period is specified in a program-specific audit guide. Unless restricted by law or regulation, the auditee shall make report copies available for public inspection.
 - a. Required documentation for the performance of internal audits must be provided to the Division of Emergency Management (NDEM) upon request within 30 days. Grant closeout is contingent upon the NDEM audit and resolution of any discrepancies. Any non-submission of required internal audit documentation could result in the delay or non-payment of reimbursement requests, the deobligation of remaining Federal funds and/or jeopardize your eligibility to receive further Federal funding through NDEM.
2. Sub-grantees who expend less than the required \$750,000 under the Federal Single Audit Act (31 U.S.C. paragraph, 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), which is incorporated into this agreement by reference, will provide to the State of Nevada Department of Public Safety uncertified financial statements, (financial statements without the opinion of an independent external auditor) including notes and a schedule of expenditures of Federal awards for sub-grantees fiscal year end, signed by the Sub-grantees executive management within the earlier of 30 days after receipt of the financial report(s), or nine months after the end of the reporting period.
3. Grant revenue and expenditure records and supporting documentation must be maintained and made available upon request by the State Division Internal Audit, Legislative Council Bureau and the NDEM or any other entity as required by law to audit the sub-grantee. The sub-grantees are required if requested to respond to auditors inquiries, as required by the State of Nevada Administrative Manual (SAM) 3000, <http://nevadabudget.org/index.php/publications/sam/18-3000>

II. FISCAL RESPONSIBILITY

1. Financial management must comply with the requirements of OMB Circular A-102 or 2 CFR PART 215, whichever is applicable to sub-grantees organization, and which are incorporated into these assurances by reference.
2. All grant expenditures are to be reasonable and allowable in accordance with 2 CFR, PART 220, 2 CFR PART 225, 2 CFR PART 230, whichever is applicable to your organization, and which are incorporated into these assurances by reference.
3. **Sub-Grantees are required to adhere to the Department of Public Safety, Division of Emergency Management, and Office of Homeland Grant Management Guide.**
4. Payment made by the NDEM to the sub-grantee shall be on a reimbursement basis only and is conditioned upon receipt of applicable, accurate and complete reimbursement and match supporting documentation to be submitted by the sub-grantee. All payments will be contingent upon receipt of all fiscal and programmatic reports required of the sub-grantee under these assurances.
 - a. Supporting documentation shall include, but is not limited to, invoices, documented program/project deliverables, travel claims, payment vouchers, proof of payment (clearing documents), payroll reports, staffing/volunteer timesheets, contracts, bid/procurement process documentation, lease agreements,

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- agendas, meeting attendance documentation, training documentation, After Action Reports (AAR), Authorized Equipment Lists (AEL) (if applicable), Central Contractor Registry (CCR), Excluded Parties Listing (EPLS) and must be cross-referenced to approved budgets.
- b. All equipment requested must be on the approved equipment list (AEL) (using the most current AEL from grant year and grant program that you are requesting/expending grant funds, please see www.rkb.us). The NDEM will not reimburse for any equipment purchased which is not identified on the AEL list and/or not on the approved Budget Detail Matrix.
5. The sub-grantee is aware of and shall comply with the cost-sharing requirements of the Federal grant program (if applicable).
 - a. Match supporting documentation must be kept in the same manner as reimbursement supporting documentation for grant funds and meet the following criteria for costs to be eligible as match:
 1. The costs must be allowable under the grant program.
 2. The costs must be in compliance with all Federal requirements and regulations (*i.e.*, 2 CFR PART 200 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 2 CFR PART 200, this documentation is to be held at the applicant and sub-applicant level.
 5. Except as provided by Federal statute, a cost sharing or matching requirement may not be met by costs borne by another Federal grant or Federal funding.
 6. The source of the match funds must be identified in the grant application.
 7. Every item must be verifiable, *i.e.*, tracked and documented.
 8. Any claimed cost share expense can only be counted once.
 6. Indirect cost rates (IDC) included in the budget and application process are subject to the requirements of Appendix E (Indirect Cost Proposal Rates) in the CFR applicable to the sub-grantee agency (*i.e.*, 2 CFR PART 215, PART 225, PART 230, as applicable). All NDEM approved indirect cost rates are determined by the specific grant program.
 7. All IDC rates for sub-grantee applications and change requests for grant Federal fiscal year 2014, 2015 and 2016 will be subject to the specific grant program language. No project change requests will be approved to change an indirect cost rate.
 8. Sub-grantees will comply with the Federal Granting Agency 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.
 9. Sub-grantees may not use future year preparedness grant funding to pay for additional agreements and user fees, please refer to Information Bulletin (IB) 336. All ongoing expenses after the performance period has expired are the responsibility of the grantee/sub-grantee and will not be paid for with FEMA preparedness grant funding. (if applicable)
 - a. Sub-grantees may use FEMA preparedness grant funding to pay for maintenance agreements, user fees, and other sustainment costs as long as:
 1. The equipment was purchased with FEMA preparedness grant funding. (if applicable)
 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 Management & Administration (M&A) related (grants management equipment).

III. FISCAL REPORTING RESPONSIBILITY

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

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

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

Travelers may request mileage and parking if they are within the 50 mile radius of their duty station.

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

IV. FUNDS MANAGEMENT

1. The sub-grantee must maintain funds received under these assurances in separate ledger accounts and cannot mix these funds with other sources. The sub-grantee must manage funds according to applicable Federal regulations for administrative requirements, costs principles and audits.
2. The sub-grantee must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained include, but are not limited to: Financial Management, Procurement, Personnel, Equipment, Property and Travel.
3. A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.
4. The sub-grantee must follow the Department of Public Safety, Division of Emergency Management Contracting and Procurement Grant Guidance dated April 19, 2011. The sub-grantee must follow 2 CFR PART 200, regarding sole source procurement. All sole sourcing requests over \$100,000 must be approved prior to procurement or a sub-grantee contractual agreement. The approval must be issued by the SAA and FEMA/DHS.
5. Compliance with HSGP Reobligation Guidelines (effective August 18, 2011). Please see attached for the complete copy of the Guidelines
6. **Sub-Grantees are required to adhere to the Department of Public Safety, Division of Emergency Management, and Office of Homeland Grant Management Guide.**
7. NDEM reserves the right to deny any reimbursement as we are the fiduciary agency responsible for the management and administration of the federal grant funds.

V. PROGRAM RESPONSIBILITY

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

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

 - a. Division of Emergency Management Quarterly Financial Report (all grants)
 - b. Quarterly Progress Summary (all grants)
 - c. Program Narrative
 - d. Approved Detailed Budget
 - e. Quarterly Project Plan
2. A completed Project Plan form shall be submitted to NDEM prior to issuance of any sub-grant.
 - a. The project plan must clearly document all individual projects, milestones, tasks, deliverables and timelines and must support and be traceable to the approved Budget Detail Matrix and the federally approved Investment Justification.
 - b. Late submission could result in delay of reimbursement, and failure to comply could result in non-

payment of reimbursement claims.

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

VI. EQUIPMENT MANAGEMENT

Effective control and accountability must be maintained for all equipment acquired with Federal funds. The sub-grantee must adequately safeguard all such equipment and must assure that it is used solely for authorized purposes as described in the guidance. The sub-grantee will use, manage, and dispose of such property in accordance with 2 CFR PART 200

1. As required by 2 CFR PART 200 equipment, the NDEM, for compliance monitoring purposes as policy for all state agency sub-grantees equipment/asset management internal controls/policies and procedures will follow the regulatory compliance of the Nevada State Administrative Manual 1544.0, NRS 354.625 and NRS 333.220, which applies a state mandated \$5,000.00 per unit threshold.
2. **It is important to safe guard all equipment, therefore this is a new requirement starting in Federal Fiscal Year 2014 that all sub-grantees have a policy to safeguard items that cost below \$5,000 which would be considered "high risk" for personnel use or theft. These items may include computer equipment, cell phones, iPad or items that may be assigned to an employee.**
3. As required by 2 CFR PART 200, 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 2 CFR PART 200, which applies a federally mandated \$5,000.00 per unit threshold.
4. Accurate records maintained on all acquisitions and dispositions of property acquired with Federal awards.
5. 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.
6. Property tags are placed on equipment.
7. 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 2 CFR PART 200 or by jurisdictional regulation or guidance. The certified inventory is required to be sent to NDEM electronically for review. NDEM may desk audit the inventory or may elect to complete a site visit.
8. Procedures established to ensure that the Federal awarding agency is appropriately reimbursed for dispositions of property acquired with Federal awards.

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

VII. SUB-GRANTEE MONITORING

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

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

VIII. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

1. Any publication, invention, patent, photograph, negative, book, drawing, record, document, or other material prepared by the sub-grantee in the performance of its obligations under this grant shall follow 2 CFR Appendix A Part 220 and 2 CFR 200.315. All 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 provided to the State of Nevada for review and archival in the grant file.
2. Whenever possible equipment, real property, public service announcements, etc., should reflect, "made possible by the Nevada Department of Public Safety Division of Emergency Management and paid for by FEMA/DHS." (example only for HSGP grants- other grants please see NDEM) All items above must be prior approved before procuring.
3. Under Section I. 1 and 2. above all items must be pre-approved in advance by NDEM in order to be reimbursable. Federal granting agency retains ownership of all publications, inventions, patents, photographs, negatives, books, drawings, records, documents or other material prepared by the sub-grantee in the performance of its obligations to the grant.

IX. INDEMNIFICATION

To the extent limited in accordance with NRS 41.0305 to NRS 41.039, if applicable, sub-grantee agrees to indemnify, save and hold the state, its agents and employees harmless from any and all liability, claims, actions, damages, losses, and expenses, including without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts *or* omissions of this agreement by sub-grantee, its agents or employees.

X. CONFIDENTIALITY OF RECORDS

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

XI. ASSIGNMENT AND DELEGATION

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

XII. DEBARMENT CERTIFICATION

1. The sub-grantee agrees to comply with the Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions". Proof of debarment search must be provided to NDEM for our records.

XIII. CONTRACTORS

1. The sub-grantee may enter into a written contract(s) for products and/or services pertaining to its functions under the grant award in accordance with terms established in the State of Nevada procurement policy, OMB Circulars, the DHS Financial Management Guide, and the DHS Program Guides or specific DHS, FEMA, DOE federal grant guidance. All contract scope of work must be reviewed and approved by NDEM. All contracts must be submitted for the grant file and debarment searches must be provided in hard copy for NDEM records.
2. The sub-grantee agrees and understands that no contract or agreement that the sub-grantee enters into with respect to performance under the grant award shall in any way relieve the sub-grantee of any responsibilities for performance if its duties.
3. The sub-grantee must follow the Department of Public Safety, Division of Emergency Management Contracting and Procurement Grant Guidance dated April 19, 2011. The sub-grantee must follow the 2 CFR PART 200, regarding sole source procurement. All sole sourcing requests over \$100,000 must be approved prior to procurement or a sub-grantee contractual agreement. The approval must be issued by the SAA and FEMA/DHS.
4. All contracts and or procurement will follow the open and free competitive bid process.

XIV. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

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

XV. APPLICABLE FEDERAL REGULATIONS

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

1. Grant Program Guidance issued by the U.S. Department of Homeland Security, at <http://www.fema.gov/government/grant/index.shtm>
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 2 CFR, PART 220), 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. 2 CFR PART 200, 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. Environmental Historical Preservation (EHP)

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

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

Construction includes the following and requires EHP approval:

1. Training and Exercises
2. Purchase of Equipment
3. Physical Security Enhancements
4. Renovation/Upgrades, Modifications to existing structures (which include drywall, paint, carpet or any modifications to existing structure etc.)
5. New Construction or New Additions
6. Communication Towers and related equipment, equipment shelters
7. Other activities that may apply under the EHP section

Please see the link provided for Information Bulletin (IB) 371 Environmental Historical Review Process http://www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.docx

XVII. TERMINATION

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

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

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

NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

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