File No. 120568

Committee Item No. 3
Board Item No. 28

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

**Committee:** Budget and Finance Sub-Committee **Date** 7/11/12

**Board of Supervisors Meeting** **Date** 7/17/12

| Cmte | Board | |
|---|---|---|
| ☐ | ☐ | Motion |
| ☒ | ☒ | Resolution |
| ☐ | ☐ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☐ | Introduction Form (for hearings) |
| ☒ | ☒ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☒ | ☒ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Form 126 – Ethics Commission |
| ☒ | ☒ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

**OTHER** **(Use back side if additional space is needed)**

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| ☐ | ☐ | |
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| ☐ | ☐ | |

**Completed by:** Victor Young **Date** July 6, 2012
**Completed by:** Victor Young **Date** 7-11-12

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Accept and Expend Grant - FY2011 Regional Catastrophic Preparedness Grant Program Grant - $1,281,976]

**Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program (RCPGP) Bay Area Site, and as fiscal agent for the Urban Areas Security Initiative Approval Authority, to retroactively accept and expend a FY2011 RCPGP Grant Program grant in the amount of $1,281,976 from the U.S. Department of Homeland Security through the California Emergency Management Agency to enhance emergency planning within the Bay Area region.**

WHEREAS, The United States Department of Homeland Security ("DHS") has several Homeland Security Grant Programs, including the Regional Catastrophic Preparedness Grant Program ("RCPGP"); and

WHEREAS, The RCPGP is a component of a coordinated federal effort to enhance emergency planning and strengthen the Nation's overall level of preparedness; and

WHEREAS, RCPGP grant funds are awarded by the federal Department of Homeland Security ("DHS"), and in California pass to the recipient through the California Emergency Management Agency ("CalEMA"); and

WHEREAS, The Bay Area is one of ten Sites in the United States to receive RCPGP funding in Fiscal Year 2011. For purposes of the RCPGP, the Bay Area Site is comprised of City and County of San Francisco, the Cities of Oakland and San Jose, and the Counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma; and

WHEREAS, DHS requires each Site receiving RCPGP funds to establish a Regional Catastrophic Planning Team ("RCPT") to act as an executive steering committee, provide

overall governance and coordinate development and implementation of all RCPGP initiatives within the Site, and ensure compliance with RCPGP program requirements; and

WHEREAS, The RCPT is comprised of representatives from various local governmental agencies within the RCPGP Bay Area Site, including representatives from the San Francisco Department of Emergency Management; and

WHEREAS, The RCPT makes grant application, allocation and distribution recommendations to the Bay Area Urban Area Approval Authority ("Approval Authority"), a regional body responsible for decisions related to application, allocation and distribution of certain federal homeland security grants to the Bay Area, including RCPGP grant funds for the Bay Area Site; and

WHEREAS, San Francisco serves as the primary grantee and fiscal agent for the Approval Authority, and receives and distributes certain homeland security grant funds, including RCPGP funds, per decisions of the Approval Authority; and

WHEREAS, The Bay Area Site received a fiscal year 2011 RCPGP grant award of $1,709,301, comprised of $1,281,976 in federal funds and a required 25% local match of $427,325. The required local match must be either in non-federal funds or in kind services. Each recipient must provide a portion of the match, based on its share of the total grant allocation; and

WHEREAS, Regionally, funds from this RCPGP award will be used for regional exercises required by grant guidelines and for management and administration of the grant program; and

WHEREAS, The City must expend RCPGP funds no later than March 31, 2014; and

WHEREAS, The grant does not require an amendment to the Annual Salary Ordinance; and

WHEREAS, The grant does not include any provisions for indirect costs; now,

therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby authorizes the Department of Emergency Management ("DEM"), on behalf of the City and County San Francisco, serving as the primary grantee for the RCPGP Bay Area Site and as fiscal agent for the Approval Authority, to retroactively accept and expend an FY 2011 RCPGP grant in the amount of $1,281,976 from the DHS through the CalEMA to enhance emergency planning within the Bay Area Site; and, be it

FURTHER RESOLVED, That the DEM Executive Director, or designee, is authorized to furnish whatever additional information or assurances the DHS or CalEMA may request in connection with this grant, to execute any and all agreements or other documents, and to take any other steps necessary to accept, distribute and expend the grant funds; and, be it

FURTHER RESOLVED, That the grant does not include any provisions for indirect costs, and indirect costs are hereby waived.

Recommended:

ANNE KRONENBERG, Executive Director
Department of Emergency Management

Approved:

for EDWIN LEE, Mayor

For BEN ROSENFIELD,
Controller

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Anne Kronenberg

**DATE:** April 19, 2012

**SUBJECT:** Accept and Expend Resolution for Subject Grant

**GRANT TITLE:** FY 11 Regional Catastrophic Preparedness Grant Program

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Attached please find the original and 4 copies of each of the following:

_X_ Proposed grant resolution; original signed by Department, Mayor, Controller

_X_ Grant information form, including disability checklist

_X_ Grant budget

_X_ Grant application

_X_ Grant award letter from funding agency

_X_ Other (Explain): Grant Assurances

**Special Timeline Requirements:**

**Departmental representative to receive a copy of the adopted resolution:**

Name: Mary Landers Phone: 705-8531

Interoffice Mail Address:

Certified copy required Yes ☒ No ☐

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

**File Number:** _____
(Provided by Clerk of Board of Supervisors)

## Grant Information Form
(Effective July 2006)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying ordinance:

1. Grant Title: FY 11 Regional Catastrophic Preparedness Grant Program

2. Department: Department of Emergency Management

3. Contact Person: Mary Landers Telephone: 705-8531

4. Grant Approval Status (check one):

   [X ] Approved by funding agency [ ] Not yet approved

5. Amount of Grant Funding Approved or Applied for: $1,281,976

6a. Matching Funds Required: $427,325
b. Source(s) of matching funds (if applicable): San Francisco general funds and regional funds

7a. Grant Source Agency: US Department of Homeland Security (DHS)
b. Grant Pass-Through Agency (if applicable): California Emergency Management Agency (CalEMA)

8. Proposed Grant Project Summary: For the purpose of regional planning to develop plans and procedures in the event of a catastrophic disaster.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

   Start-Date: July 1, 2011 End-Date: March 31, 2014

10. Number of new positions created and funded: 0

11. Explain the disposition of employees once the grant ends?

12a. Amount budgeted for contractual services: $

b. Will contractual services be put out to bid? N/A

c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? N/A

d. Is this likely to be a one-time or ongoing request for contracting out?

13a. Does the budget include indirect costs? [ ] Yes [X] No

b1. If yes, how much? $
b2. How was the amount calculated?

c. If no, why are indirect costs not included?
[X ] Not allowed by granting agency [ ] To maximize use of grant funds on direct services
[ ] Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs? Unknown.

14. Any other significant grant requirements or comments:

****Disability Access Checklist*****

15. This Grant is intended for activities at (check all that apply):

[X ] Existing Site(s) [X ] Existing Structure(s) [ ] Existing Program(s) or Service(s)
[ ] Rehabilitated Site(s) [ ] Rehabilitated Structure(s) [ X] New Program(s) or Service(s)
[X ] New Site(s) [ ] New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer: Terrence Daniel
(Name)

Date Reviewed: April 19, 2012

Department Approval: Anne Kronenberg Executive Dir. Dept. of Emergency Management
(Name) (Title)
Anne Kronenberg
(Signature)

**Department of Emergency Management**
**1011 Turk Street, San Francisco, CA 94102**

Division of Emergency Communications
Phone: (415) 558-3800 Fax: (415) 558-3843

Division of Emergency Services
Phone: (415) 487-5000 Fax: (415) 487-5043

Edwin M. Lee
Mayor

SFDEM
SAN FRANCISCO DEPARTMENT OF EMERGENCY MANAGEMENT

Anne Kronenberg
Executive Director

April 19, 2012

Ms. Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
City and County of San Francisco
City Hall

Re: FY 11 Regional Catastrophic Preparedness Grant Program grant

Dear Ms. Calvillo:

Attached is the packet of documents for the FY 11 Regional Catastrophic Preparedness Grant Program grant. All documents listed in the Checklist are included.

Thank you for your assistance in this matter. If you should have any questions, please do not hesitate to contact me at 558-2745.

Sincerely,

Anne Kronenberg
Executive Director

EDMUND G. BROWN JR.
GOVERNOR

MARK S. GHILARDUCCI
SECRETARY

Cal E·M·A
CALIFORNIA EMERGENCY MANAGEMENT AGENCY

April 9, 2012

Mary Landers
Regional Planning Manager
Bay Area UASI
10 Lombard Street, Suite 200
San Francisco, CA 94111

SUBJECT: **NOTIFICATION OF GRANT AWARD-OFFICIAL**
Fiscal Year (FY) 2011 Regional Catastrophic Preparedness Grant Program (RCPGP)
Bay Area Site
Cal EMA: #075-95017, Grant # 2011-0013

Dear Ms. Landers:

The California Emergency Management Agency (Cal EMA) has approved the Bay Area Site FY 2011 RCPGP application in the amount of $1,281,976. You may not request a reimbursement or an advance for FY 2011 RCPGP funds until your application is complete. Your application is currently pending submission of the FY 2011 RCPGP Post Award Requirements (Project Plan & Detailed Project Narrative). Until Cal EMA receives and approves both of these documents, you may not request a reimbursement or an advance for FY 2011 RCPGP funds.

Funds awarded under this allocation will be subject to the requirements set forth in the FY 2011 RCPGP Federal Program Guidance and Application Kit. All FY 2011 RCPGP expenditures must be expended by March 28, 2014.

This grant is subject to all policies and provisions of the Federal Single Audit Act of 1984 and the Single Audit Act Amendments of 1996. Any funds received in excess of current needs, approved amounts, or those found owed as a result of a final review or audit, must be refunded to the State within 30 days upon receipt of an invoice from Cal EMA.

For further assistance, please contact your Cal EMA program representative, Mr. Joseph Gonzales at, (916) 845-8746 or via email at joseph.gonzales@calema.ca.gov.

Sincerely,

BRENDAN A. MURPHY
Assistant Secretary

3650 SCHRIEVER AVENUE, MATHER, CA 95655
(916) 845-8506 TELEPHONE (916) 845-8511 FAX

# Department of Emergency Management
**1011 Turk Street, San Francisco, CA 94102**

Division of Emergency Communications
Phone: (415) 558-3800 Fax: (415) 558-3843

Division of Emergency Services
Phone: (415) 487-5000 Fax: (415) 487-5043

Edwin M. Lee
Mayor

SFDEM
SAN FRANCISCO DEPARTMENT OF EMERGENCY MANAGEMENT

Anne Kronenberg
Executive Director


**To:** Angela Calvillo, Clerk of the Board of Supervisors

**From:** Anne Kronenberg AK
Executive Director, Department of Emergency Management

**Date:** April 19, 2012

**Re:** **Resolution to Accept and Expend 2011 Regional Catastrophic Preparedness Grant Program (RCPGP) Award**

---

The Department of Emergency Management is pleased to present the following Grant Report in summary of the above-referenced item submitted by the Department of Emergency Management.

**Legislation For Approval:** The proposed resolution seeks the Board of Supervisors' approval for the acceptance (retroactive) and expenditure of $1,709,301 (federal share $1,281,976, applicant share $427,325) from the United States Department of Homeland Security (DHS), through the California Emergency Management Agency (CalEMA), to support regional exercises.

**Departments:** **Department of Emergency Management (DEM).** Expenditures benefiting the City and County of San Francisco, the cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.

DEM serves as the fiscal agent for the Bay Area UASI, which is administering the grant for the Bay Area region. DEM would be authorized to accept and expend these grant funds on behalf of the 12 Bay Area counties and 3 core cities of San Francisco, San Jose, and Oakland, and to receive grant reimbursements for expenses incurred on behalf of the region.

As the Fiscal Agent, DEM is responsible for administering the grant, ensuring that the grant funds are spent according to the grant guidelines, and ensuring that each of the Bay Area counties and

cities that may receive a portion of these grant funds adhere to the grant eligibility and financial guidelines.

Each sub-recipient county or city that participates in this grant will be required to enter into a grant MOU with DEM that outlines their obligation under the grant allocation, including requirements for match, contracting and procurement, record keeping, and adherence to federal grant assurances.

**Amount:** $1,281,976

**Grant Period:** July 1, 2011 through March 31, 2014

**Retroactivity:** The Accept and Expend Legislation requests retroactive approval because the Federal Grant period commenced before the legislation was introduced. No grant funds will be encumbered or expended until the Board of Supervisors approves the Accept and Expend legislation.

**Source of funds:** U.S. Department of Homeland Security (DHS) through the California Emergency Management Agency (CalEMA)

**Required Match:** 25 % ($427,325). All counties and cities will provide the proportionate share of the grant match, either in kind or cash prior to their requests for reimbursement being granted by the fiscal agent

**Indirect Costs:** The proposed resolution waives indirect costs, because the grant program does not allow the charging of indirect costs.

**Description:** The proposed resolution authorizes the Department of Emergency Management (DEM) to accept and expend $1,281,976 in federal grant funding from the FY 2011 Regional Catastrophic Preparedness Grant Program (Grant Number #2011-0013, OES ID#075-95017), issued by DHS, through CalEMA. The grant requires a 25 percent applicant match in the amount of $427,325 to fund regional exercises.

**Budget:** The summary budget by activity for the subject grant is as follows:

**(1) Exercises:** $1,217,877

The budgeted amount has been allocated for the purpose of conducting regional exercises to test the validity of plans

developed during the FY 07/08, FY 09, and FY 10 RCPGP Grant cycles.

**(2) <u>Management and Administration</u>:** $64,099

Management and Administration expenses include UASI line item office expenses, grants management, Controller's Accounting, City Attorney, office and equipment maintenance and leases. The amount budgeted reflects 5% of the cash grant, which is the maximum allowable under the guidelines.

**TOTAL Budget:** **$1,281,976**

*Alterations to this document may result in delayed application approval, modification requests, or reimbursement requests.*
*Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.*

(Cal EMA Use Only)

Cal EMA # 075-95017 FIPS # 075-95017 CFDA # 97.111 RCPGP Grant #

# CALIFORNIA EMERGENCY MANAGEMENT AGENCY
## GRANT AWARD FACE SHEET (Cal EMA 2-101)

The California Emergency Management Agency, hereafter designated Cal EMA, hereby makes a Grant Award of funds to the following:

| | | | |
|---|---|---|---|
| **1. Grant Recipient:** | Bay Area Site | | |
| In the amount and for the purpose and duration set forth in this Grant Award. | | | |
| **2. Implementing Agency:** | Bay Area UASI | **2a. Congressional District:** | CD 08 |
| **2b. State Senate District #:** | 3 and 8 | **2c. State Assembly District #:** | AD 13 |
| **2d. Location of Project:** | San Francisco Bay Area | **2e. Congressional District(s):** | CD 08 |
| **3. Disaster/Program Title:** | Regional Catastrophic Preparedness Grant Program | **4. Performance Period:** | 7/1/2011 to 3/28/2014 |

| Grant Year | Fund Source | A. State | B. Federal | C. Total | D. Cash Match | E. In-Kind Match | F. Total Match | G. Total Project Cost |
|---|---|---|---|---|---|---|---|---|
| 2011 | 5· RCPGP-NC | $1,281,976 | | | | $427,325 | $427,325 | $1,709,301 |
| | 6· | | | | | | $0 | $0 |
| | 7· | | | | | | $0 | $0 |
| | 8· | | | | | | $0 | $0 |
| | 9· | | | | | | $0 | $0 |
| | 10· **TOTALS** | $1,281,976 | $0 | $1,281,976 | $0 | $427,325 | $427,325 | 10G. Total Project Cost: $1,709,301 |

**11. This Grant Award consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications which are being submitted. I hereby certify I am vested with the authority to enter into this Grant Award Agreement, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or Approving Body. The Grant Recipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Award. The Grant Recipient signifies acceptance of this Grant Award and agrees to administer the grant project in accordance with the Grant Award as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal EMA policy and program guidelines. The Grant Recipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 12. Federal DUNS Number: | 70384255 | | | 13. Federal Employer ID Number: | | | |
| **14. Official Authorized to Sign for Applicant/Grant Recipient:** | | | | | | | |
| Name: | Teresa Serata | | | Title: | Director, Strategy and Compliance | | |
| Telephone: | (415) 705-8520 | FAX: | (415) 705-8513 | Email: | teresa.serata@sfgov.org | | |
| Payment Mailing Address: | 10 Lombard St. #410 | | | City: | San Francisco | Zip + 4: | 94111-6205 |
| Signature: | Teresa Serata | | | Date: | | | |

**(FOR Cal EMA USE ONLY)**

I hereby certify upon my personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

Cal EMA Fiscal Officer Date Cal EMA Director (or designee) Date

# GRANT MANAGEMENT

*Alterations to this document may result in delayed application approval, modification requests, or reimbursement requests.*
*Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.*

CFDA#: 97.111 RCPGP

075-95017
075-95017

| Name | Title | Area of Responsibility | Employee/Contractor | Employee Status |
|---|---|---|---|---|
| Craig Dziedzic | General Manager | Grant Administration | Employee | Full time |
| Teresa Serata | Director, Strategy & Compliance | Grant Administration | Employee | Full time |
| Mary Landers | Regional Planning Manager | Grant Management | Employee | Full time |
| Tristan Levardo | CFO | Fiscal | Employee | Full time |
| Kathleen McKenna | Program Manager | Logistics | Employee | Full time |
| | | | | |

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PROJEC DGER

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**Warning!** Decimal usage is not allowed. Attempts to use decimals will prompt error message.

CFDA #: 97.111 RCPGP

| | | |
|---|---|---|
| **LEDGER TYPE:** | Initial Application | |
| Today's Date | Monday, November 21, 2011 | |
| Expenditure Period: | (Date) From: | |
| | (Date) To: | |
| Cash Request or Mod. # | | |
| **Approval: Cal EMA ONLY** | Date & Initials (Prog. REP.): | |

075-95017
075-95017

| Item Number | Project | Project Name | Funding Source | Discipline | Solution Area | Solution Area Sub-Category | Total Obligated | Amount Approved Previous | **Amount This Request** | Match Amount | Total Approved | Remaining Balance | Percentage Complete |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | **1,281,976** | - | - | **427,325** | - | **1,281,976** | |
| 1 | A | Regional Exercise | RCPGP-NC | EMG | Exerc | Design/Develop/Conduct/Evaluate | 1,217,877 | | | 427,325 | | 1,217,877 | |
| 2 | A | Regional Exercise | RCPGP-NC | EMG | M & A | All Other M&A Expenses | 64,099 | | | | | 64,099 | |
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# PROJECT DESCRIPTIONS

*Alterations to this document may result in delayed application approval, modification requests, or reimbursement requests.*
*Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.*

CFDA #: 97.111 RCPGP

075-95017
075-95017

| Project | State Investment Justification Goals and Objectives | Project Description | Need | Project Milestone & Justification |
|---|---|---|---|---|
| Project A- Regional Exercise | Investment Goal Objective | Design plan-specific exercises and evaluation activities needed to test, validate, and improve the previously developed catastrophic plans. Incorporate these activities into the UASI Training and Exercise Program to leverage spending. Conduct at least one full scale exercise during the grant cycle. Comply with HSEEP guidelines, submit After Action Reports and Performance Improvement Plans. | Testing and evaluation of plans will complete the grant cycle. | At the 6-month mark, this project will be 5 % complete and $60,894 funds will be expended. At the 12-month mark, this project will be 20% complete and $243,575 funds will b expended. At the 18-month mark, this project will be 50% complete and $608,938 funds will be expended. |
| Project B- M and A | Investment Goal Objective | M and A expenses as allowed by the grant | Grant eligible and necessary expenses | At the 6-month mark, this project will be 25% complete and $16,025 funds will be expended. At the 12-month mark, this project will be 50% complete and $32,050 funds will be expended. At the 18-month mark, this project will be 75 % complete and $48,075 funds will be expended. |

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| Project | Ex. ...de | Funding Source | Discipline | Solution Area Sub-Category | EHP Approval Date | Date of Exercise | Exercise Activity | Lo... Host | Date of AAR entered into HSEEP | Part of a Procurement over 100k | Sole Source Involved | Estimated Cost | Amount Approved Previous | **Amount This Request** | Cash Requ... # | Total Approved | Remaining Balance |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | **1,217,877** | - | - | | - | |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Tabletop | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Tabletop | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Tabletop | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Functional Host | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Functional Host | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Functional Host | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Functional Host | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Functional Host | | | | | 10,000 | | | | | 10,000 |
| A | Regional Exercise | RCPGP-NC | EMG | Design/Develop/Conduct/Evaluate | | | Full Scale Host | | | | | 1,137,877 | | | | | 1,137,877 |

CALIFORNIA EMERGENCY MANAGEMENT AGENCY

AUTHORIZED AGENT

*Alterations to this document may result in delayed application approval, modification requests, or reimbursement requests.*
*Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.*

CFDA #: 97.111 RCPGP

075-95017
075-95017

Supporting Information for Reimbursement/Advance of State and Federal Funds

This request is for an/a: **Initial Application**

This claim is for costs incurred within the grant expenditure period from _____ (Beginning Expenditure Period Date) through _____ (Ending Expenditure Period Date) and does not cross fiscal years.

## Under Penalty of Perjury I certify that:

I am the duly authorized officer of the claimant herein. This claim is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances.

## Statement of Certification - Authorized Agent

This Grant Award consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications which are being submitted. I hereby certify I am vested with the authority to enter into this Grant Award Agreement, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or Approving Body. The Grant Recipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Award. The Grant Recipient signifies acceptance of this Grant Award and agrees to administer the grant project in accordance with the Grant Award as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal EMA policy and program guidelines. The Grant Recipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget. For HSGP: All equipment and training procured under this grant must be in support of the development or maintenance of an identified team or capability.

| Printed Name and Title | Signature of Authorized Agent | Date |
|---|---|---|
| Teresa Serata | Teresa Serata | 11/21/2011 |

*Please reference the Instructions Page under the "Authorized Agent" section for instructions/address on where to mail workbook*

EDMUND G. BROWN JR.
GOVERNOR

MIKE DAYTON
ACTING SECRETARY

**California Emergency Management Agency**
**Regional Catastrophic Preparedness Grant Program (RCPGP)**
***FY11 Grant Assurances***

Name of Applicant: Teresa Serata

Address: 10 Lombard St. #410

City: San Francisco State: CA Zip Code: 94111

Telephone Number: 415-705-8520 Fax Number: 415-705-8513

E-Mail Address: Teresa.Serata@sfgov.org

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for federal assistance, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the federal Department of Homeland Security and sub-granted through the State of California, California Emergency Management Agency (CALEMA).

2. Will assure that grant funds are only used for allowable, fair, and reasonable costs and is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, and Metropolitan Medical Response System).

3. Will give the federal government, the General Accounting Office, the Comptroller General of the United States, the State of California, through any authorized representative, access to and the right to examine all paper or electronic records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or awarding agency directives.

4. Agrees that funds utilized to establish or enhance state and local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines and achievement of a baseline level of capability as defined by the Fusion Capability Planning Tool.

5. Will provide progress reports and such other information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP) within 45 (forty-five) days of the award, and update via a report in the Grant Reporting Tool (GRT) twice each year.

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6. Will initiate and complete the work within the applicable time frame after receipt of approval from CalEMA.

7. Will comply with FEMA's codified regulation 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including part 13.1 regarding the payment of interest earned on advances.

8. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.

9. Agrees that to the extent contractors or subcontractors are utilized, grantees and subgrantees shall use small, minority, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

10. Will comply with 2 CFR 215.25, and will notify CALEMA of any developments that have a significant impact on award-supported activities, including changes to key program staff.

11. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

12. Understands and agrees Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from FEMA.

13. Will comply with all federal statues relating to Civil Rights and Nondiscrimination. These include but are not limited to:
    a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin.
    b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of gender.
    c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps.
    d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age.
    e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse.
    f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
    g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
    h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing.
    i. Title 28, Code of Federal Regulations, Part 42, Subparts C, D, E and G.
    j. Title 28, CFR, Part 35.



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k. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
l. Title 44 CFR Parts 7, 16, and 19 relating to nondiscrimination.
m. The requirements on any other nondiscrimination statute(s) which may apply to the application.
n. Will, 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 or race, color, religion, national origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
o. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
p. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provision of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.

14. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of federal participation in purchases. Will also comply with Title 44 Code of Federal Regulations, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and federally-assisted programs.

15. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 (ten thousand dollars) or more.

16. Will comply with all applicable Federal, State, and local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require re-evaluation of compliance with these EHP requirements.

17. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of FEMA/CALEMA, including but not limited to communications towers, physical security enhancements, new construction and modifications to buildings that are 50 (fifty) years old or more. Any construction related activities initiated prior to full environmental and historic preservation (EHP) review will result in a non-compliance finding. If ground disturbing activities occur during the project implementation, the recipient must ensure monitoring of the ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease activity in that area and notify CALEMA/FEMA and the appropriate State Historic Preservation Office.



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18. Will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of this project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities, and will notify CALEMA and 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.

19. Will provide any information requested by FEMA/CALEMA to insure compliance with applicable laws including the following:
    a. Institution of environmental quality control measures under the National Environmental Policy Act, National Historical Preservation Act, Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (EO11988), Wetlands (11990) and Environmental Justice (12898) and Environmental Quality (EO11514).
    b. Title 44 CFR Parts 9 and 10, referencing floodplain management and environmental considerations.
    c. Notification of violating facilities pursuant to EO 11738.
    d. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.).
    e. Conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.).
    f. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
    g. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Section 15000-15007.
    h. Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et.seq.) related to protecting components or potential components of the national wild and scenic rivers system.
    i. Applicable 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.
    j. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require re-evaluation of compliance with these EHP requirements.
    k. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of FEMA/CALEMA, including but not limited to communications towers, physical security enhancements, new construction and modifications to buildings that are 50 (fifty) years old or more.

20. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.

21. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased

with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*

22. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the submitted application for federal assistance and after the receipt of federal financial assistance, through the State of California, agree to the following:
    a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the federal or state government.
    b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
    c. Separately account for interest earned on grant funds, and will return all interest earned, in excess of $100 per federal fiscal year.

23. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

24. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

25. Will comply, if applicable, with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

26. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

27. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

28. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction sub-agreements.

29. Agrees 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 other funds 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 an employee of Congress, or employee of a Member



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of Congress in connection with the 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 subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
d. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

30. Agrees that equipment acquired or obtained with grant funds:
    a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
    b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.

31. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-federal funds.

32. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A-21, A-87, A102, A-110, A-122, and A-133, E.O. 12372 and the current Administrative Requirements, Cost Principles, and Audit Requirements. Will also comply with Title 28, Code of Federal Regulations, Parts 66 and 70, that govern the application, acceptance and use of Federal funds for federally assisted projects.

33. Will comply with provisions of 28 CFR applicable to grants and cooperative agreements, Including:
    a. Part 18, Administrative Review Procedures.
    b. Part 20, Criminal Justice Information Systems.
    c. Part 22, Confidentiality of Identifiable Research and Statistical Information.
    d. Part 23, Criminal Intelligence Systems Operating Policies.
    e. Part 30, Intergovernmental Review of Department of Justice Programs and Activities.
    f. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services.
    g. Part 38, Equal Treatment of Faith-based Organizations.
    h. Part 63, Floodplain Management and Wetland Protection Procedures.
    i. Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures.
    j. Part 61, Procedures for Implementing the National Environmental Policy Act.
    k. Part 64, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.

l. Part 66, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
m. Part 67, Government-Wide Debarment and Suspension (Non-Procurement).
n. Part 69, New Restrictions on Lobbying.
o. Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations.
p. Part 83, Government-Wide Requirements for a Drug Free Workplace (grants).

34. Will comply with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.

35. Agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.

36. Will maintain procedures to minimize the time elapsing between the award of funds and the disbursement of funds.
37. Will comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide and the current US Department of Homeland Security (DHS) Financial Management Guide.

38. Agrees that all allocations and use of funds under this grant will be in accordance with the FY 2011 Regional Catastrophic Preparedness Grant Program Guidance and Application Kit, and the California Supplement to the FY 2011 Regional Catastrophic Preparedness Grant Program and Guidance and Application Kit. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justifications which were submitted as part of the California FY 2011 Regional Catastrophic Preparedness Grant Program application. Further, use of FY 2011 Regional Catastrophic Preparedness Grant Program funds is limited to those investments included in the FY 2011 Regional Catastrophic Preparedness Grant Program Investment Justification submitted to DHS/FEMA and evaluated through the peer review process.

39. Acknowledges that FEMA reserves a royalty-free, non exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use; for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. the recipient agrees to consult with GPD regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

40. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."

41. 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, Section 67.510

a. The applicant certifies that it and its principals:

(i) 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.

(ii) 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.

(iii) 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

b. 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.

42. Agrees to comply with the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 and 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 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:

(1) The dangers of drug abuse in the workplace.
(2) The grantee's policy of maintaining a drug-free workplace.
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) 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

(1) Abide by the terms of the statement; and

(2) 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 under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice, Office of Justice Programs,
ATTN: Control Desk,
633 Indiana Avenue, N.W.,
Washington, D.C. 20531.

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 under subparagraph (d)(2), with respect to any employee who is so convicted.

(1) 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
(2) 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 through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

43. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.

44. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.



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**A. Administrative Requirements**
1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
3. 44 CFR part 10, Environmental Considerations
B. Cost Principles
1. 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
4. 48 CFR 31.2, Federal Acquisition Regulations (FAR), Contracts with Commercial Organizations

C. Audit Requirements
1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

**Article II - Prohibition on Using Federal Funds**
The recipient 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 FEMA.
**Article III - Compliance with Program Guidance**
The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Regional Catastrophic Preparedness Grant Program guidance and application kit.
**Article IV - Budget Review**
The recipient is prohibited from obligating, expending or drawing down funds provided through this award until the required budget and budget narrative are approved by FEMA and this condition is rescinded.
**Article V - Federal Financial Reports (SF-425) # Required Quarterly**
The recipient shall submit the Federal Financial Report (FFR, SF-425) within 30 days of the end of the first Federal quarter following the initial grant award. The recipient shall submit quarterly FFRs thereafter until the grant ends. Reports are due on January 30, April 30, July 30, and October 30. A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the performance period.
**Article VI - 100% Hold**
The recipient is prohibited from obligating, expending, or drawing down any funds provided through this award until FEMA has provided signed approval of the Project Narrative and project plans to the recipient.
**Article VII - Acceptance of Post Award Changes**
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.
Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.
**Article VIII - Trafficking In Persons**
A. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
a. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
b. Procure a commercial sex act during the period of time that the award is in effect; or
c. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:
a. Is determined to have violated a prohibition in paragraph A.1 of this award term; or
b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:
i. Associated with performance under this award; or
ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR Part 3000.
B. Provisions applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:
1. Is determined to have violated an applicable prohibition in paragraph A.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph A.1 of this award term through conduct that is either:
a. Associated with performance under this award; or
b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR part 3000.
C. Provisions applicable to any recipient.
1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:
a. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
b. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.
D. Definitions. For purposes of this award term:
1. "Employee" means either:
a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity" means: a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.



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b. Includes:
i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b). ii. A for-profit organization. 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

**Article IX - Classified Security Condition**
A. "Classified national security information," as defined in 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.
B. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and has access to such information.
C. Where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subawardee, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed.
D. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS "Standard Operating Procedures, Classified Contracting by States and Local Entities," dated July 7, 2008; EOs 12829, 12958, 12968, as amended; the National Industrial Security Program Operating Manual (NISPOM); and/or other applicable implementing directives or instructions. All security requirement documents are located at: http://www.dhs.gov/xopnbiz/grants/index.shtm
E. Immediately upon determination by the award recipient that funding under this award will be used to support such a contract, subaward, or other agreement, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, or the applicable Federal department or agency, for approval and processing instructions. DHS Office of Security ISPB contact information:
Telephone: 202-447-5346
Email: DD254AdministrativeSecurity@dhs.gov
Mail:Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, D.C. 20528

**Article X - Central Contractor Registration and Universal Identifier Requirements**
A. Requirement for Central Contractor Registration (CCR)
Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that applicants and recipients review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term. B. Requirement for Data Universal Numbering System (DUNS) Numbers If recipients are authorized to make subawards under this award, they:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.
C. Definitions
For purposes of this award term:
1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at http://www.ccr.gov).
2. Data Universal Numbering System (DUNS) number means the nine digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at http://fedgov.dnb.com/webform).
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
a. A Governmental organization, which is a State, local government, or Indian Tribe;
b. A foreign public entity;
c. A domestic or foreign nonprofit organization;
d. A domestic or foreign for-profit organization; and
e. A Federal agency, but only as a sub recipient under an award or subaward to a non-Federal entity.
4. Subaward:
a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ----.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
a. Receives a subaward from you under this award; and
b. Is accountable to you for the use of the Federal funds provided by the
c. subaward.

**Article XI - Reporting Subawards and Executive Compensation**
A. Reporting of first-tier subawards.
1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. Where and when to report.
a. You must report each obligating action described in paragraph a.1. of this award term to http://www.fsrs.gov.
b. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action that the submission instructions posted at http://www.fsrs.gov specify.
B. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if
a. the total Federal funding authorized to date under this award is $25,000 or more;
b. in the preceding fiscal year, you received i.80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and ii. $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:
a. As part of your registration profile at http://www.ccr.gov.
b. By the end of the month following the month in which this award is made, and annually thereafter.
C. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if
a.in the subrecipient's preceding fiscal year, the subrecipient received
i.80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
ii. $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
a. To the recipient.
b. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year ( i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
D. Exemptions
1. If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:
a. Subawards, and
b. The total compensation of the five most highly compensated executives of any subrecipient.
E. Definitions. For purposes of this award term:
1. Entity means all of the following, as defined in 2 CFR part 25:

a. A Governmental organization, which is a State, local government, or Indian tribe;
b. A foreign public entity;
c. A domestic or foreign nonprofit organization;
d. A domestic or foreign for-profit organization;
e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. __ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
c. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that:
a. Receives a subaward from you (the recipient) under this award; and
b. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
a. Salary and bonus.
b. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
c. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
d. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
e. Above-market earnings on deferred compensation which is not tax-qualified.
f. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

**Article XII - National Environmental Policy Act (NEPA)**

The recipient shall comply with all applicable Federal, State, and local environment and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable 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). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbance activities occur during project



Initials

implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. For your convenience, here is the screening form link: (The Screening From is available at: (www.fema.gov/doc/government/grant/bulletins/ info329_final_screening_memo.doc). For these types of projects, grantees must complete the FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to the GPD EHP team at GPDEHPinfo@fema.dhs.gov for review. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award.

**Article XIII - Payments on Hold Pending Receipt of SF1199A**

The recipient must fill out and have their financial institution complete and sign the SF 1199A, Direct Deposit Sign-up Form.

Payments for this award will be placed on hold pending receipt of the SF1199A by FEMA. The 1199A must be received directly from the financial institution of the recipient. No payments will be made until this form has been received and processed by the FEMA Finance Center and this award condition has been rescinded. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

**Article XIV - Quarterly Progress Reports**

The recipient will participate in quarterly project progress reviews.



Initials ___

As defined by the **Grant Programs Directorate Information Bulletin No. 350 on November 23, 2010** all new Federal awards of $25,000 or more as of October 1, 2010, are subject to The Federal Funding Accountability and Transparency Act of 2006 (FFATA) reporting requirements. The Transparency Act definition of "Federal awards" includes not only prime awards for grantees, cooperators, and contractors, but also awards to sub-recipients. Starting October 1, 2010, awards of less than $25,000 do not have any reporting requirements. Awards in the amount of $25,000 or more do have FSRS reporting requirements on sub-awards, as well as on highly compensated individuals.

**Answer the Following Questions Below, which will be subject to mandatory reporting via government website/s.**

1. Sub-awards greater than $25,000:

a) Name of entity receiving award: Bay Area Site

b) Amount of award: $1,281,976

c) Funding agency: US DHS

d) The Catalog of Federal Domestic Assistance program number;: 97.111

e) Award title (descriptive of the purpose of the funding action): Regional Catastrophic Preparedness Grant Program

f) Location of the entity and primary location of performance including city, state, and Congressional district; San Francisco, CA CD08

g) Dun & Bradstreet (D&B) DUNS Number of the entity, and its parent if applicable; and, 70384255

h) Total compensation and names of top five executives (same thresholds as for prime recipients).

2. The Total Compensation and Names of the top five executives if either 80% or more of annual gross revenues are from Federal awards (contracts, sub-contracts and Federal financial assistance), and $25,000,000 or more in annual gross revenues from Federal awards; and if Compensation information is not already available through reporting to the Securities and Exchange Commission.

Name of Subgrantee : Bay Area Site

RCPGP Grant Program FY 2011
Top 5 Executives and their Compensation

| Name | Compensation $ | Exempt |
|---|---|---|
| Gregory Suhr | $382,940.60 | |
| Edward Harrington | $374,766.45 | |
| Edward Reiskin | $374,073.24 | |
| Joanne Hayes-White | $369,731.43 | |
| John Martin | $366,869.29 | |



Initials

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

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: Teresa Serata

Printed Name of Authorized Agent: Teresa Serata

Title: Director Strategy & Compliance Date: 11/28/2011

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAY 22 PM 2:59

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: for Mayor Edwin M. Lee

RE: Accept and Expend Grant – FY 11 Regional Catastrophic Preparedness Grant Program Grant - $1,281,976

DATE: May 22, 2012

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Attached for introduction to the Board of Supervisors is the resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the RCPGP Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a Fiscal Year 2011 Regional Catastrophic Preparedness Grant Program grant in the amount of $1,281,976 from the U.S. Department of Homeland Security through the California Emergency Management Agency to enhance emergency planning within the Bay Area region.

I request that this item be calendared in Budget and Finance Committee.

Should you have any questions, please contact Jason Elliott (415) 554-5105.

120568

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141