

File No. 170098

Committee Item No. 4
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee Date March 9, 2017

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Fire Commission Resolution</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Linda Wong Date March 3, 2017
Completed by: Linda Wong Date _____

1 [Accept and Expend Grant - Federal Emergency Management Agency - Dive Boat - \$769,922]

2
3 **Resolution authorizing the Fire Department to accept and expend a grant in the amount**
4 **of \$769,922 from the Federal Emergency Management Agency to purchase a dive boat**
5 **for the period of September 1, 2015, to August 31, 2018.**

6
7 WHEREAS, The San Francisco Fire Department (SFFD) responds to over 130,000
8 incidents each year, including fires, vehicle accidents, and medical and other emergencies;
9 and

10 WHEREAS, Due to its geographic and topographic layout, as well as other factors, the
11 SFFD is confronted with unique challenges in responding to these incidents; and

12 WHEREAS, One of these unique challenges consists of the Department's
13 responsibilities for the protection of the Port of San Francisco and the San Francisco Bay; and

14 WHEREAS, The SFFD applied for and was awarded a Fiscal Year 2015 Port Security
15 Grant Program (PSGP) from the Federal Emergency Management Agency (FEMA) in the
16 amount of \$769,922 for a dive boat; and

17 WHEREAS, The use of these grant funds will allow the Department to procure a dive
18 boat, enhancing the Department's water response assets; and

19 WHEREAS, The FEMA grant requires the Fire Department to purchase the fire boat by
20 August 31, 2018; and

21 WHEREAS, The Fire Commission recommended approval of this grant at its meeting
22 on August 10, 2016; and

23 WHEREAS, The grant does not require an ASO amendment; and

1 WHEREAS, The grant requires the City to supply matching funds worth 25 percent of
2 the total award, or \$256,641; and,

3 WHEREAS, The SFFD proposes to maximize the use of the grant funds on program
4 expenditures by not including indirect costs in the grant budget; now, therefore, be it

5 RESOLVED, That the Board of Supervisors authorizes the SFFD to accept and expend
6 grant funds in the amount of \$769,922 from FEMA; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
8 indirect costs in the grant budget; and, be it

9 FURTHER RESOLVED, That the Chief of the SFFD is hereby authorized and
10 empowered to execute, deliver, and perform, in the name of the City and County of San
11 Francisco, all applications, contracts, agreements, amendments, and payment requests
12 necessary for the purpose to secure the FEMA grant funds and implement and carry out the
13 purposes specified in the applicable grant application.

14 Recommended:

15
16 Joanne M. Hayes-White
17 Joanne M. Hayes-White
18 Chief of Department

10/12/2016

16 Approved: [Signature]
17 for Mayor

18 Approved: [Signature]
19 Controller

| | |
|--|--|
| <p>Item 4 File 17-0098</p> | <p>Department: Fire Department (Fire)</p> |
|--|--|

EXECUTIVE SUMMARY

Legislative Objectives

- The proposed resolution would authorize the San Francisco Fire Department (SFFD) to accept and expend a 75 percent matching grant in the amount of \$769,922 from the Federal Emergency Management Agency (FEMA) and the U.S. Department of Homeland Security’s Port Security Grant Program to purchase a dive boat. The proposed grant also requires SFFD to provide matching funds of at least \$256,641, or 25 percent of the estimated total dive boat cost of \$1,026,563.

Key Points

- In September 2015, FEMA and the U.S. Department of Homeland Security’s Port Security Grant Program awarded SFFD a grant of \$769,922 to purchase a dive boat.
- SFFD currently has three fire boats—the recently purchased *St. Francis*, the *Phoenix*, and the *Guardian*—and one rapid response boat—*Rescue Boat 1*. The proposed dive boat would be used for search and rescue, dive operations, and Chemical, Biological, Radiological, and Nuclear (CBRN) detection to protect the Port and the Bay. The dive boat would also support sporting events along with *Rescue Boat 1*, and would allow the ten-year-old rescue boat, to serve as a backup, instead of the primary, rescue boat.

Fiscal Impact

- The proposed grant requires that the SFFD contribute matching funds of at least \$256,641, or 25 percent of the estimated total dive boat cost of \$1,026,563. Funds from the City’s General Fund were appropriated in SFFD’s FY 2016-17 budget to cover the required cost match.

Recommendation

- Approve the proposed resolution.

MANDATE STATEMENT

City Administrative Code Section 10.170-1 states that accepting Federal, State, or third-party grant funds in the amount of \$100,000 or more, including any City matching funds required by the grant, is subject to Board of Supervisors approval.

BACKGROUND

In September 2015, the Federal Emergency Management Agency (FEMA) and the U.S. Department of Homeland Security's Port Security Grant Program awarded the San Francisco Fire Department (SFFD) a grant of \$769,922 to purchase a dive boat. The Board of Supervisors approved the required matching funds of \$256,641 in the SFFD's FY 2016-17 budget.

SFFD currently has three fire boats—the recently purchased¹ *St. Francis*, the *Phoenix*, and the *Guardian*—and one rapid response boat—*Rescue Boat 1*. The fire boats respond to a variety of incidents, including firefighting, marine firefighting, oil spill response, and search and rescue. The rapid response boat primarily responds to water rescues and medical calls on the water, but it also supports sporting events such as fleet week, Alcatraz swims, and triathlons. SFFD previously had two rapid response boats, but the newer boat capsized in the ocean and was lost last year. According to Mr. Mark Corso, SFFD Chief Financial Officer, SFFD was unable to respond with a rescue boat for nearly a month when *Rescue Boat 1* was out of service for repairs because there is currently no backup rescue boat.

The proposed 38-foot dive boat would be a high-speed catamaran and would be smaller than the three fire boats but larger than the rapid response boat. Key characteristics of the proposed boat not currently addressed through SFFD's existing water assets include: 1) a stabilized dive platform that would make diving and retracting individuals from the water safer than is currently possible on the SFFD's existing boats; and 2) Chemical, Biological, Radiological, and Nuclear (CBRN) detection equipment. The dive boat would be used for search and rescue, dive operations, and CBRN detection to protect the Port and the Bay. The dive boat would also support sporting events along with *Rescue Boat 1*, and would allow the ten-year-old rescue boat, to serve as a backup, instead of the primary, rescue boat.

SFFD is currently working with the City's Office of Contract Administration (OCA) and complying with federal requirements on procurement for the proposed dive boat.

DETAILS OF PROPOSED LEGISLATION

The proposed resolution would authorize SFFD to accept and expend a 75 percent matching grant in the amount of \$769,922 from FEMA and the U.S. Department of Homeland Security's Port Security Grant Program to purchase one dive boat for search, rescue and diving operations. The proposed grant also requires SFFD to provide matching funds of at least \$256,641, or 25 percent of the estimated total dive boat cost of \$1,026,563.

¹ In May 2014, the Board of Supervisors approved a resolution to accept and expend a 75 percent matching grant in the amount of \$7,608,000 from FEMA and the U.S. Department of Homeland Security's Port Security Grant Program to purchase the *St. Francis* (File 14-0488).

FISCAL IMPACT

The proposed Federal grant requires that the SFFD contribute matching funds of at least \$256,641, or 25 percent of the estimated total dive boat cost of \$1,026,563. Funds of \$256,641 were appropriated in SFFD's FY 2016-17 General Fund budget to cover the required cost match.

Table 1 below shows the proposed dive boat budget, totaling \$1,026,563.

Table 1: Proposed Dive Boat Budget

| Sources | Amount |
|--|--------------------|
| SFFD FY 2016-17 General Fund Budget | \$256,641 |
| FEMA Port Security Grant | 769,922 |
| Total Sources | \$1,026,563 |
| Uses | |
| Emergency response vessel (one dive boat) | \$741,961 |
| Radiation detection | 86,000 |
| Side and bottom scan sonar | 24,190 |
| Positive pressure CBRN protective cabin | 23,650 |
| Thermal imaging camera | 37,925 |
| Automatic Identification System (AIS) transponder | 9,660 |
| Diver recall system | 6,730 |
| Chemical multi-threat 5 gas meter with photo ionization detector | 9,200 |
| Search light, scene lighting and public address system | 6,825 |
| Subtotal, Total Costs Pre-Tax | \$946,141 |
| Tax (8.5%) | 80,422 |
| Total Costs | \$1,026,563 |

Source: Fire Department

According to Mr. Corso, the initial project was scaled down due to limited available FEMA funds. The current budget of \$1,026,563 is \$201,754, or 16 percent, less than the initial budget of \$1,228,317. To accommodate the reduced funding, SFFD reduced the boat's radiological detection and identification capability and removed funds for training and additional equipment from the budget.

Operating Expenditures

According to Mr. Corso, maintenance and repair costs would be the only additional operating expenditures for the proposed dive boat. Maintenance and repair costs, the value of which is unknown at this time, would be funded through equipment maintenance funds in SFFD's General Fund budget, subject to appropriation approval by the Board of Supervisors. Mr. Corso states that the dive boat would not result in additional staffing or increased overtime costs but would rather be an additional asset for normal SFFD operations. In the event of an emergency, on-duty crews from fire stations that have been trained on the use of the boat would staff the boat.

RECOMMENDATION

Approve the proposed resolution.

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

Grant Ordinance Information Form
(Effective May 2011)

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: Port Security Grant Program FY 2015
2. Department: Fire Department
3. Contact Person: Mark Corso Telephone: 558-3417
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: \$769,922
- 6a. Matching Funds Required: \$ 256,641
b. Source(s) of matching funds (if applicable): General Fund
- 7a. Grant Source Agency: Federal Emergency Management Agency
b. Grant Pass-Through Agency (if applicable): n/a
8. Proposed Grant Project Summary: Purchase of Dive Boat
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
Defibrillators: Start-Date: 09/01/2015 End-Date: 08/31/2018
10. Number of new positions created and funded: 0
11. Explain the disposition of employees once the grant ends? n/a
- 12a. Amount budgeted for contractual services: \$0
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 Local Business Enterprise (LBE) requirements? n/a
d. Is this likely to be a one-time or ongoing request for contracting out? n/a
- 13a. Does the budget include indirect costs? Yes No
b1. If yes, how much? \$ n/a
b2. How was the amount calculated? n/a

c. If no, why are indirect costs not included?

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? Employee Time

14. Any other significant grant requirements or comments: No

****Disability Access Checklist****

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

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

New Program(s) or Service(s)

New Site(s)

New Structure(s)

16. The Departmental ADA Coordinator 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 ADA Coordinator or Mayor's Office of Disability Reviewer:

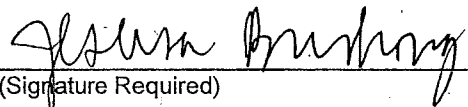
Jesusa Bushong

(Name)

Human Resources Director

(Title)

Date Reviewed: 10/18/16


(Signature Required)

Overall Department Head or Designee Approval:

Mark Corso

(Name)

Chief Financial Officer

(Title)

Date Reviewed: 10/18/16


(Signature Required)

San Francisco Fire Department

Grant Budget

FEMA Port Security Grant Program - FY2015

Grant Code: FCPSGP Port Security Grant Program
Grant Detail: 15 FY2015
Index Code: 315208 PSGP-PORT SECURITY GRANT PROGRAM

Budget:

| | <u>Description</u> | <u>Char</u> | <u>Char Desc</u> | <u>Amount</u> |
|-----------|--------------------|-------------|------------------|---------------|
| Equipment | | 060 | Equipment | \$ 769,922 |
| | | | Total: | \$ 769,922 |

Overview**Overview**

| | |
|--|---------------------------------------|
| Submission Type | Application |
| Type of Application | New |
| Is application subject to review by state executive order 12372 process? | Program is not covered by E.O. 12372. |

Contact Information

Please complete the following contact information. When you are finished, click the Save and Continue button below.

Note: Fields marked with * are required.

User Information

| | |
|---------------------|----------------------|
| Title: | CFO |
| Prefix: | Mister |
| First Name: | Mark |
| Middle Name: | |
| Last Name: | Corso |
| Business Phone | (415) 558-3417 Ext. |
| Home Phone: | Ext. |
| Mobile Phone/Pager: | |
| Fax: | |
| Email: | mark.corso@sfgov.org |

Mailing Address

| | |
|-----------|-------------------|
| Address1: | 698 Second Street |
| Address2: | |
| City: | San Francisco |
| State: | California |
| Zip: | 94107 2015 |

| | |
|---------------------------|-------------------|
| Status: | Active |
| Organization Contact Type | Secondary Contact |

Please complete the following contact information. When you are finished, click the Save and Continue button below.

Note: Fields marked with * are required.

User Information

| | |
|---------------------|----------------------|
| Title: | Ms |
| Prefix: | |
| First Name: | Joanne |
| Middle Name: | |
| Last Name: | Hayes-White |
| Business Phone | (415) 558-3417 Ext. |
| Home Phone: | (415) 558-3417 Ext. |
| Mobile Phone/Pager: | (415) 558-3417 |
| Fax: | |
| Email: | mark.corso@sfgov.org |

Mailing Address

| | |
|-----------|-------------------|
| Address1: | 698 Second Street |
| Address2: | |
| City: | San Francisco |

| | |
|---------------------------|------------|
| State: | California |
| Zip: | 94107 |
| Status: | Active |
| Organization Contact Type | |

Applicant Information

Please provide the following information about your organization and press the Save and Continue button below

Note: Fields marked with an * are required.

Organization Information

| | |
|---|-------------------------------|
| Organization Name: | San Francisco Fire Department |
| Employer Identification Number: | 94-6000417 |
| Are you sharing an EIN with another organization? | No |
| If yes, please enter the name of the entity with whom you share an EIN: | |
| Enter the DUNS Number of your Organization | 03-342-8819 |
| Applicant Type: | Other (specify) |
| Other Applicant Type: | City & County Government |

Headquarters or Main Station Physical Address

| | |
|-----------|-------------------|
| Address1: | 698 Second Street |
| Address2: | |
| City: | San Francisco |
| State: | California |
| Zip: | 94107 2015 |

Mailing Address

| | |
|---------------------------|-------------------|
| Same As Physical Address: | Yes |
| Address1: | 698 Second Street |
| Address2: | |
| City: | San Francisco |
| State: | California |
| Zip: | 94107 2015 |

Additional Information

| | |
|--|----|
| Is the applicant delinquent on any federal debt? | No |
| If you answered yes to any of the additional questions above, please provide an explanation in the space provided below: | |

Project Information

Please provide the following information and press the Save and Continue button below.

Note: Fields marked with * are required.

Project Information

| | |
|--|---|
| Descriptive Title of Applicant Project: | Procurement of Equipment and Training for Maritime Response - CBRNE Dive Vessel |
| Areas Affected by Project (Cities, Counties, States, etc.) | Centered in City of San Francisco but a regional asset, affecting Alameda, Marin, Contra Costa, and San Mateo Counties in California. |
| Proposed Project: | Start date 09/01/2015 End date 08/31/2018 |
| * Congressional Districts: | CA-012 |

Budget

Review and confirm the budget information below. When you are finished, press the Save and Continue button below.

Note: Fields marked with * are required.

Budget Object Class

| | |
|---------------------|------------------|
| a. Personnel | 0 |
| b. Fringe Benefits | 0 |
| c. Travel | 10,200 |
| d. Equipment | 1,182,117 |
| e. Supplies | |
| f. Contractual | 36,000 |
| g. Construction | |
| h. Other | |
| i. Indirect Charges | |
| Total Budget | 1,228,317 |

Federal and Applicant Share (These values will update on "Save" or "Save and Continue").

| | |
|--------------------------|---------|
| Federal Share Amount | 915,817 |
| Applicant Share | 312,500 |
| Federal Rate Sharing (%) | 74.56 |

Non-Federal Resources (Please ensure combined non federal resources meet your cost share requirement)

| | |
|-------------------|---------|
| a. Applicant | 312,500 |
| b. State | 0 |
| c. Local | 0 |
| d. Other Sources | 0 |
| e. Program Income | 0 |

Comments

If you entered a value in Other Sources, include your explanation below. You can use this space to provide information on the project, cost share match, or if you have a indirect cost agreement with a federal agency.

Attachments

Total Number of Records: 9

Display: 10

| Document Type | Description | Attachment | Date Uploaded | Action |
|------------------|---|---|------------------|--------|
| Budget Narrative | Budget Narrative for IJ# 1, CBRNE Dive Vessel | SFO_San Francisco Bay_San Francisco Fire Department_Detailed Budget IJ#1Vessel.pdf | 05/19/2015 19:41 | View |
| Map | Map of San Francisco Bay Waterways | SFO_San Francisco Bay_San Francisco Fire Department_CCSF Waterways.pdf | 05/19/2015 19:42 | View |
| Map | Map of Bay Area Ferries | SFO_San Francisco Bay_San Francisco Fire Department_SF BayArea Ferry Map.pdf | 05/19/2015 19:43 | View |
| Map | Map of SF Bay Shipping Lanes | SFO_San Francisco Bay_San Francisco Fire Department_SF Bay Shipping Lanes and Traffic Map.pdf | 05/19/2015 19:43 | View |
| Map | Map of Bay Area Ferry Routes | SFO_San Francisco Bay_San Francisco Fire Department_SF BayArea Ferry Routes.pdf | 05/19/2015 19:44 | View |
| Other | | Form GG_LobbyingForm-V1.1.pdf | 05/08/2015 18:59 | View |
| Other | SFFD contact list for this project | SFO_San Francisco Bay_San Francisco Fire Department_SFFD Contact List.pdf | 05/19/2015 19:44 | View |
| Other | | Form SF424_2_1-V2.1.pdf | 05/08/2015 18:59 | View |

This is the investment justification for the San Francisco Fire Department's 2015

Investment Port Security Grant Program application. The Department is submitting one
Justification project, a CBRNE Dive vessel.

SFO_San Francisco Bay_San Francisco Fire 05/19/2015
Department_IJ#1 CBRNE Dive Vessel.pdf 19:41

View

Assurances and Certifications

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Form 424B - Assurances-NonConstruction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. 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.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 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).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) 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 sex; (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) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. 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 (P.L. 91-646) which provide 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 interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§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.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with 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 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) 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.); (f) 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.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93- 523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).

12. Will comply with the 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.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply 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.
16. Will comply 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.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

Digital Signature

By checking the box below and providing your password, you are providing your digital signature.

I, Mark Corso, or my designee am hereby providing my signature for this application as of 19-May-2015

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

SF-GG, Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. 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.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement 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 statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Authorized Representative

| | |
|--------------------------|-------------------------------|
| Applicant's Organization | San Francisco Fire Department |
| Title: | Ms |
| Prefix: | |
| First Name: | Joanne |
| Middle Name: | |
| Last Name: | Hayes-White |
| Suffix: | |

Digital Signature

By checking the box below and providing your password, you are providing your digital signature.

I, Mark Corso, or my designee am hereby providing my signature for this application as of 19-May-2015

U.S. Department of Homeland Security
Washington, D.C. 20472



Mark Corso
San Francisco Fire Department
698 Second Street
San Francisco, CA 94107

Re: Grant No. EMW-2015-PU-00300

Dear Mark Corso:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 Port Security Grant Program has been approved in the amount of \$769,922.00 . As a condition of this award, you are required to contribute a cost match in the amount of \$256,641.00 of non-Federal funds, or 25 percent of the total approved project costs of \$1,026,563.00 .

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 Port Security Grant Program Funding Opportunity Announcement.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please go on-line to the ND Grants system at <https://portal.fema.gov>. After logging in, you will see a subtitle Grants Management. Under this subtitle, you will see a link that says Award Package(s). Click this link to access your award packages. Click the Review Award Package link to review and accept the award package for your award. Please print your award package for your records.

Step 2: Please fill out and have your bank complete and sign the SF 1199A, Direct Deposit Sign-up Form. The information on the 1199A must match your SAM record. Be sure to include your DUNS and grant number on the form in Section 1F "Other." The SF 1199A should be sent directly from your financial institution to the FEMA Finance Center, via fax or mail to the Vendor Maintenance Office (see address below). The 1199A form will not be accepted unless it is received directly from the financial institution. Please pay careful attention to the instructions on the form.

FEMA Finance Center
Attn: Vendor Maintenance
P.O. Box 9001
Winchester, VA 22604

Secured Fax: (540) 504-2625
Email: FEMA-Finance@FEMA.DHS.gov

System for Award Management (SAM): Please ensure that your organization's name, address, DUNS number, EIN, and banking information are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all

FEMA awards. The System for Award Management is located at <http://www.sam.gov>. Future payments will be contingent on the information provided in the SAM; therefore it is imperative that the information is correct.

If you have any questions or concerns regarding the process to request your funds, please call (866) 927-5646.



BRIAN KAMOIE, GPD Assistant Administrator



U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES
Port Security Grant Program

GRANTEE: San Francisco Fire Department
PROGRAM: Port Security Grant Program
AGREEMENT NUMBER: EMW-2015-PU-00300-S01

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Article I - Summary Description of Project

Project 1: SFFD CBRNE/Dive Boat is partially funded for \$769,922. Project scaled down due to limited available funds.

Article II - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article III - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article IV - Age Discrimination Act of 1975

All recipients must comply with the requirements of the *Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.)*, which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article VI - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

Article VII - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article VIII - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 C.F.R. § 100.201).

Article IX - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article X - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative and audit requirements and cost principles that apply to DHS award recipients originate from 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.

Article XI - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article XII - Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R. Part 3001.

Article XIII - Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms

and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

Article XIV - Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

Article XV - 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.*

- i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
- ii. 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—

- i. the total Federal funding authorized to date under this award is \$25,000 or more;
- ii. in the preceding fiscal year, you received—

(A) 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

(B) \$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

iii. 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:

- i. As part of your registration profile at <https://www.sam.gov>.
- ii. 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—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 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

(B) \$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

ii. 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:

i. To the recipient.

ii. 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

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

And

ii. 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:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. 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*:

i. 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.

ii. 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").

iii. 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:

i. Receives a subaward from you (the recipient) under this award; and

ii. 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)):

i. *Salary and bonus.*

ii. *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.

iii. *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.

iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified.*

vi. 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 XVI - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article XVII - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

Article XVIII - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XIX - Hotel and Motel Fire Safety Act of 1990

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

Article XX - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXI - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt 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 any Federal action concerning the award or renewal.

Article XXII - Non-supplanting Requirement

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article XXIII - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

Article XXIV - Procurement of Recovered Materials

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Article XXV - Contract Provisions for Non-federal Entity Contracts under Federal Awards

a. Contracts for more than the simplified acquisition threshold set at \$150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

b. Contracts in excess of \$10,000.

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Article XXVI - SAFECOM

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXVII - Terrorist Financing E.O. 13224

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

Article XXVIII - Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XXIX - Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

Article XXX - Rehabilitation Act of 1973

All recipients of must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Article XXXI - System of Award Management and Universal Identifier Requirements

A. Requirement for System of Award Management

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 SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you 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 unique entity identifier

If you are authorized to make subawards under this award, you:

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 unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

C. Definitions

For purposes of this award term:

1. *System of Award Management (SAM)* 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 SAM Internet site (currently at <http://www.sam.gov>).
2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.
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 subrecipient 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 2 CFR 200.330).
 - 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 subaward.

Article XXXII - USA Patriot Act of 2001

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose

Article XXXIII - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XXXIV - Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article XXXV - DHS Specific Acknowledgements and Assurances

All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article XXXVI - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article XXXVII - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXXVIII - 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.

Obligating Document for Award/Amendment

1a. AGREEMENT NO. 2. AMENDMENT NO. 3. RECIPIENT NO. 4. TYPE OF ACTION 5. CONTROL NO.
 EMW-2015-PU-00300-S01 AMENDMENT946000417 NO. W510955N

6. RECIPIENT NAME AND ADDRESS
 San Francisco Fire Department
 698 Second Street
 San Francisco, CA, 94107

7. ISSUING FEMA OFFICE AND ADDRESS
 Grant Operations
 245 Murray Lane - Building 410, SW
 Washington DC, 20528-7000
 POC: 866-927-5646

8. PAYMENT OFFICE AND ADDRESS
 Financial Services Branch
 500 C Street, S.W., Room 723
 Washington DC, 20472

9. NAME OF RECIPIENT PROJECT OFFICER
 Mark Corso

PHONE NO. (415) 558-3417

10. NAME OF FEMA PROJECT COORDINATOR
 Central Scheduling and Information Desk
 Phone: 800-368-6498
 Email: Askcsid@dhs.gov

11. EFFECTIVE DATE OF THIS ACTION
 09/01/2015

12. METHOD OF PAYMENT
 PARS

13. ASSISTANCE ARRANGEMENT
 Cost Reimbursement

14. PERFORMANCE PERIOD
 From: 09/01/2015 To: 08/31/2018
 Budget Period
 09/01/2015 08/31/2018

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

| PROGRAM NAME ACRONYM | CFDA NO. | ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX-XXXX-XXXX-X | PRIOR TOTAL AWARD | AMOUNT AWARDED THIS ACTION + OR (-) | CURRENT TOTAL AWARD | CUMULATIVE NON-FEDERAL COMMITMENT |
|-----------------------------|----------|--|-------------------|-------------------------------------|---------------------|-----------------------------------|
| Port Security Grant Program | 97.056 | 2015-SL-B411-P410- -4101-D:W510955N \$ 769,922.00 | \$0.00 | \$769,922.00 | \$769,922.00 | \$256,641.00 |
| TOTALS | | | \$0.00 | \$769,922.00 | \$769,922.00 | \$256,641.00 |

b. To describe changes other than funding data or financial changes, attach schedule and check here.
 N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Port Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
 N/A

DATE
 N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)

DATE
 09/15/2015

 ANDREA GORDON, Assistance Officer

FIRE COMMISSION
City and County of San Francisco
Edwin M. Lee, Mayor

Francee Covington, *President*
Ken Cleaveland, *Vice President*
Stephen A. Nakajo, *Commissioner*
Michael Hardeman, *Commissioner*



698 Second Street
San Francisco, CA 94107
Telephone 415.558.3451
Fax 415.558.3413
Maureen Conefrey, *Secretary*

RESOLUTION 2016-05

RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS AUTHORIZE THE SAN FRANCISCO FIRE DEPARTMENT TO ACCEPT AND EXPEND PORT SECURITY GRANT PROGRAM FUNDING IN THE AMOUNT OF \$769,922 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO PURCHASE A NEW DIVE BOAT.

WHEREAS, The San Francisco Fire Department (SFFD) responds to over 130,000 incidents each year, including fires, vehicle accidents, and medical and other emergencies; and,

WHEREAS, Due to its geographic and topographic layout, as well as other factors, the SFFD is confronted with unique challenges in responding to these incidents; and

WHEREAS, One of these unique challenges consists of the Department's responsibilities for the protection of the Port of San Francisco and the San Francisco Bay; and,

WHEREAS, The SFFD applied for and was awarded a Fiscal Year 2015 Port Security Grant Program (PSGP) from the Federal Emergency Management Agency (FEMA) in the amount of \$769,922 for a dive boat; and,

WHEREAS, The use of these grant funds will allow the Department to procure a new dive boat, enhancing the Department's water response assets; and

WHEREAS, The grant requires the City to supply matching funds worth 25 percent of the total award, or \$256,641; and,

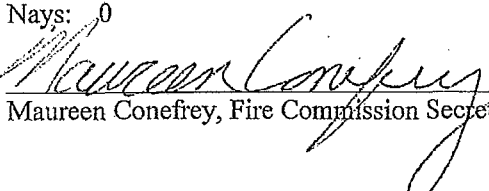
WHEREAS, The SFFD wishes to accept and expend the grant, to support and promote marine operations and enhance its protection of the San Francisco Bay and Port of San Francisco; now, therefore, be it

RESOLVED, That the Fire Commission recommends that the Board of Supervisors authorize the Fire Department to accept and expend Port Security Grant funding from FEMA in the amount of \$769,922 to purchase a dive boat to enhance the Department's water response capabilities and increase Port protection.

Adopted at the Regular Meeting of the San Francisco Fire Commission on August 10, 2016.

Ayes: 3 (Covington, Cleaveland, Hardeman)


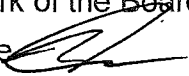
Nays: 0


Maureen Conefrey, Fire Commission Secretary

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM:  Mayor Edwin M. Lee 
RE: Accept and Expend Grant – Dive Boat - \$769,922
DATE: January 24, 2017

Attached for introduction to the Board of Supervisors is a resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$769,922 from the Federal Emergency Management Agency to purchase a dive boat for the period of September 1, 2015 to August 31, 2018.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

RECEIVED
OFFICE OF THE MAYOR
SAN FRANCISCO
2017 JAN 24 PM 2:46
