COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee:  Budget and Finance Sub-Committee  Date: April 18, 2012
Board of Supervisors Meeting  Date: 4-24-12

Cmte Board

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☒ Department/Agency Cover Letter and/or Report
☐ MOU
☐ Grant Information Form
☐ Grant Budget
☐ Subcontract Budget
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☐ Award Letter
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OTHER  (Use back side if additional space is needed)

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Completed by: Victor Young  Date: April 12, 2012
Completed by: Victor Young  Date: 4-19-12

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of $35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY 2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

Note: Additions are single-underline *italics Times New Roman*; deletions are strikethrough *italics Times New Roman*. Board amendment additions are double underlined; Board amendment deletions are strikethrough normal.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) Urban Areas Security Initiative ("UASI") Program. The United States Department of Homeland Security ("DHS") has a Homeland Security Grant Program, which includes the UASI Program. The UASI Program addresses the unique planning, equipment, training, and exercise needs of high-threat, high-density Urban Areas, and assists those areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from threats and acts of terrorism. DHS distributes UASI grant funds to recipient jurisdictions in California through the California Emergency Management Agency (CalEMA), which administers the UASI Program within the State.

Mayor Lee; Supervisor Chiu
BOARD OF SUPERVISORS
(b) Bay Area Urban Area. Since fiscal year 2006-2007, DHS has combined the three separate Urban Areas of the City and County of San Francisco, the City of Oakland, and the City of San Jose into a single, combined "Bay Area Urban Area" for application, allocation and distribution of UASI grant funds. The Bay Area Urban Area includes the ten contiguous Bay Area counties and other governmental entities within those counties. The Bay Area Urban Area is one of seven "Tier 1" Urban Areas in the Nation.

(c) Urban Area Working Group ("UAWG") Requirement. For the UASI Program, DHS requires each Urban Area receiving funds to establish an UAWG to act as an executive steering committee, provide overall governance and coordinate development and implementation of all UASI Program initiatives within the applicable region, and ensure that all UASI program requirements are fulfilled.

(d) UASI Approval Authority. Beginning in fiscal year 2006-2007, the City and County of San Francisco, the City of Oakland, the City of San Jose, Alameda County, and Santa Clara County committed to cooperate in applying for, allocating and distributing UASI grant funds. Those jurisdictions entered a Memorandum of Understanding ("MOU") setting forth their agreements regarding the Bay Area Urban Area's mission, governance and reporting structures, responsibilities, and financial arrangements, and establishing processes and mechanisms to use in applying for, allocating and distributing UASI grant funds for the Bay Area Urban Area. The MOU created the UASI Approval Authority, comprised of representatives from the City and County of San Francisco, the City of Oakland, the City of San Jose, Alameda County, and Santa Clara County, and also created an Advisory Group and a UASI Management Team, with working groups, to support and assist the Approval Authority. DHS and CalEMA approved the Approval Authority and related layers of governance structure as the UAWG for the Bay Area Urban Area. The parties entered into an updated MOU effective July 1, 2007, which continued the UASI Approval Authority and UASI
Management Team structure. DHS and CalEMA approved that governance structure as the UAWG for the Bay Area Urban Area in fiscal years 2007-2008, 2008-2009, 2009-2010 and 2010-2011. The Board of Supervisors approved amendments to extend the term of that updated MOU, to permit the parties to negotiate a successor MOU, in Resolutions No. 111-11, File No. 110078 and No. 239-11, File No. 110603. The City and County of San Francisco finalized a successor MOU dated December 1, 2011 with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara and Sonoma, and the Board of Supervisors approved that MOU in Resolution No. 478-11, File No. 111053. Under the successor MOU, the UASI Approval Authority is now an eleven member body, comprised of two representatives from San Francisco and one representative from each of the other jurisdictions that is party to the successor MOU. DHS and CalEMA approval of this reconstituted Approval Authority as the UAWG for the Bay Area Urban Area for fiscal year 2011-2012 is pending.

(e) Methodology for allocating funds; San Francisco as primary grantee and fiscal agent for UASI Approval Authority. The UASI Approval Authority makes decisions regarding allocation of UASI funds throughout the Bay Area Urban Area. The City and County of San Francisco is the primary grantee of UASI funds for the Urban Area and serves as the fiscal agent for the Approval Authority. San Francisco disburses funds to jurisdictions in the Bay Area Urban Area pursuant to the Approval Authority’s direction.

(f) The City and County of San Francisco has participated in federal and state homeland security grant programs since their inception, and deems participation in those programs as vital to the continued well-being of its citizens.

(g) Fiscal Year 2011 UASI Grant Award, Use of UASI Funds. The DHS awarded the Bay Area Urban Area $35,546,960 in UASI grant funds for Fiscal Year 2011. Regionally, the grant funds will be used to purchase equipment and conduct planning, training and exercise
activities, as described more fully in the materials on file with the Clerk of the Board of
Supervisors in File No. 120321, which are hereby declared to be a part of this ordinance as if
set forth fully herein. The grant does not include any provisions for indirect costs.

(h) The City and County of San Francisco intends to use a portion of its share of the
UASI grant funds to continue funding certain existing positions and to create one new grant-
funded position within the City and County, at the Police Department.

(i) The performance period for the FY11 UASI grant is from November 17, 2011
through April 30, 2014.

Section 2. Authorization to Accept and Expend Grant Funds.

(a) The Board of Supervisors hereby authorizes the Department of Emergency
Management to retroactively accept and expend, on behalf of the City and County of San
Francisco, as the primary grantee of UASI funds for the Bay Area Urban Area and as the
fiscal agent for the UASI Approval Authority, $35,546,960 in UASI grant funds for fiscal year
2011 from the DHS, through the CalEMA.

(b) The grant does not include any provisions for indirect costs, and indirect costs are
hereby waived.

(c) The Executive Director of the Department of Emergency Management, 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.
Section 3. Grant Funded Positions; Amendment to FY 2011-2012 Annual Salary Ordinance. The hereinafter designated sections and items of Ordinance No. 146-11 (Annual Salary Ordinance, FY 2011-2012) are hereby amended to add one position at the Police Department as follows:

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<th># of Pos.</th>
<th>Class and Item No.</th>
<th>Compensation Schedule</th>
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<td>Add</td>
<td>0.33 FTE</td>
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APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney

By: KATHARINE HOBIN PORTER
Deputy City Attorney

APPROVED AS TO CLASSIFICATION: DEPARTMENT OF HUMAN RESOURCES

By: MICKI CALLAHAN, Director
Department of Human Resources

RECOMMENDED:

ANNE KRONENBERG, Executive Director
Department of Emergency Management

EDWIN LEE
Mayor

Department of Emergency Management
BOARD OF SUPERVISORS
LEGISLATIVE DIGEST

[Accept and Expend FY 11 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2011-2012]

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY 2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

Background Information

The United States Department of Homeland Security ("DHS"), through its Urban Areas Security Initiative ("UASI") Grant Program, provides funding for the planning, equipment, training, and exercise needs of high-threat, high-density Urban Areas; and assists those areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from threats and acts of terrorism.

The combined Urban Areas of the City and County of San Francisco, the City of Oakland, and the City of San Jose form the Bay Area Urban Area, a Tier I Urban Area. The Bay Area Urban Area includes the ten contiguous Bay Area counties and governmental entities within those counties.

San Francisco, the City of Oakland, the City of San Jose, Alameda County, and Santa Clara County have entered a Memorandum of Understanding ("MOU") regarding the Bay Area Urban Area's mission, governance and reporting structures, responsibilities, and financial arrangements, as well as processes and mechanisms to use in applying for, allocating and distributing UASI grant funds through the Bay Area Urban Area. Under the MOU, the UASI Approval Authority determines the allocation and distribution of UASI grant funds. San Francisco serves as the primary grantee of UASI funds for the Bay Area Urban Area and as the fiscal agent for the Approval Authority. San Francisco disburses UASI funds pursuant to the Approval Authority's direction.

For fiscal year 2011, the Bay Area Urban Area was awarded $35,546,960. The term of the grant is from November 17, 2011 through April 30, 2014. The grant funds will be distributed throughout the region for planning, equipment, training, exercise, and organizational initiatives determined by the Approval Authority. San Francisco will use a portion of its share of the grant funds to continue funding existing positions and to create a new position.
Proposed Ordinance

The proposed ordinance authorizes the Department of Emergency Management (DEM), on behalf of the City and County of San Francisco as the primary grantee of UASI funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to accept and expend $35,546,960 in UASI grant funds for fiscal year 2011 from the United States Department of Homeland Security, through the California Emergency Management Agency. The proposed ordinance also authorizes DEM's Executive Director, or designee, to take any steps necessary to accept, distribute and expend the grant funds.

Pursuant to Administrative Code §10.170-1(b), the proposed ordinance also amends the Annual Salary Ordinance, FY2011-2012, to reflect the addition of one (1) new grant-funded position at the Police Department.
March 13, 2012

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

Re: FY 11 Urban Areas Security Initiative Grant Accept and Expend Ordinance

Dear Ms. Calvillo:

Attached is the packet of documents for the FY 11 Urban Areas Security Initiative Grant Accept and Expend Ordinance. All documents listed in the Ordinance 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,

[Signature]
Anne Kronenberg  
Executive Director
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Anne Kronenberg
DATE: March 13, 2012
SUBJECT: Accept and Expend Ordinance for Subject Grant

GRANT TITLE: FY 11 Urban Areas Security Initiative

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

- X Proposed grant ordinance; 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).
Grant Information Form  
(Effective March 2005)

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

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

1. Grant Title: FY 11 Urban Areas Security Initiative Grant

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: $35,546,960

6a. Matching Funds Required: $ N/A
   b. Source(s) of matching funds (if applicable):

   b. Grant Pass-Through Agency (if applicable): California Emergency Management Agency

8. Proposed Grant Project Summary: This grant provides funding to prevent, prepare for, respond to, and recover from threats or acts of terrorism.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:
   Start-Date: November 17, 2011    End-Date: April 30, 2014

10a. Amount budgeted for contractual services: $1,557,557
   b. Will contractual services be put out to bid? Yes.
   c. If so, will contract services help to further the goals of the department’s MBE/WBE requirements? No. Not allowed under Homeland Security Grant Guidelines.
   d. Is this likely to be a one-time or ongoing request for contracting out? One-time.

11a. 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

12. Any other significant grant requirements or comments:

**Disability Access Checklist***

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

[X] Existing Site(s)  [X] Existing Structure(s)  [X] 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)

14. 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: February 14, 2012

Department Approval: Anne Kronenberg  Executive Dir., Dept. of Emergency Management

(Name)  (Title)

(Signature)
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 ordinance seeks the Board of Supervisors' approval for the acceptance (retroactive) and expenditure of $35,546,960 in funds from the Federal Department of Homeland Security (DHS) through the California Emergency Management Agency (CalEMA) to provide financial assistance to address the unique planning, equipment, training, exercise, and organizational needs of high-threat, high-density Urban Areas, and assist those areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from natural or human caused disasters as well as threats and terrorism.

This grant was awarded to the Bay Area UASI from the Department of Homeland Security. It is a pass through from the California Emergency Management Agency. The focus of the funding is to provide financial assistance to address the unique planning, equipment, training, exercise, and organizational needs of high-threat, high-density Urban Areas, like the San Francisco Bay Area, and assist those areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from disasters, threats and terrorism. San Francisco will continue to act as the fiscal agent for these funds.

**Departments:**  
Department of Emergency Management (DEM). Department will act as fiscal agent and expenditures are to benefit the Bay Area UASI which includes the three former separate UASI cities: the City and County of San Francisco, the City of Oakland, and the City of San Jose, as well as the twelve contiguous Bay Area counties and the other Bay Area governmental jurisdictions within those counties.
The Bay Area UASI was established, in grant year FY2006, as a requirement of the Department of Homeland Security for regions to create a governance structure for the distribution of the Urban Area Strategic Initiative grant funding. The San Francisco Bay Area is designated as a Tier One region, indicating a high level of risk and threat.

The Bay Area UASI is lead by a grant funded general manager and staff consisting of employees from the cities and counties within the Bay Area region. Based on requirements of the grant, as well as recommendations of regional working groups and committees, grants are allocated through a regional Advisory Group and under the policy direction of the Approval Authority, which consists of representatives of the Cities of San Jose, Oakland, and San Francisco, and the Counties of Alameda, Contra Costa, Marin, Monterey, Santa Clara, San Francisco, San Mateo, and Sonoma. CalEMA also holds a seat on the Approval Authority. The chair of the Approval Authority is the Executive Director of the San Francisco Department of Emergency Management.

As the fiscal agent, DEM would be authorized to accept and expend these grant funds on behalf of the Bay Area, and to receive grant reimbursements for expenses incurred on behalf of the region.

DEM is responsible for administering the grant for the Bay Area UASI, 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 adheres to the grant and financial guidelines.

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

**Amount:**

Grant allocation to the UASI in the amount of $35,546,960 to be allocated to the above jurisdictions by agreement of the UASI Approval Authority which will act as the executive steering committee.

**Grant Period:**

November 17, 2011 through April 30, 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:**

Indirect Costs:

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

Description:

The proposed ordinance authorizes the Department of Emergency Management to accept and expend $35,546,960 in federal grant funding from the FY 2011 Homeland Security Grant Program (Award # 2011-SS-0077, OES # 075-95017), issued by the U.S. Department of Homeland Security (DHS) through the California Emergency Management Agency (CalEMA) and to continue the DHS and CalEMAs approved Memorandum of Understanding (MOU) of 2006 through the updated 2011 MOU regarding the UASI mission, governance structure, responsibilities, reporting structure and financial arrangements, and establishing structures, processes and mechanisms to use in applying for, allocating and distributing grant funds to the UASI region. These grant expenditures will provide financial assistance to address the unique planning, equipment, training, exercise, organizational needs of high-threat, high-density Urban Areas, and assist those areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from disasters, threats and terrorism.

The three original core cities of San Francisco, Oakland, and San Jose have been allocated $1,000,000 each to fund planning, training, equipment, and exercises.

Budget:

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

(1) Equipment: $17,452,701
Funds will be used for the purchase of equipment for first responders throughout the region such as: Risk Management software, Terrorism Incident Response Equipment, Interoperable Communications Equipment, Information Technology Equipment, a watercraft, a CBRNE Response vehicle, a Specialized Mission Vehicle, and a Command vehicle upgrade, personal protective equipment, bomb squad equipment, and Citizen Corps equipment.

(2) Planning: $9,067,816
Of this amount, $1,915,408 will be used for the hiring of contractors for regional projects through the RFP process. Additional funding will be used by Alameda and Santa Clara Counties to pay for multidisciplinary project planning staff. San Francisco plans include the hire of one (1) staff member, an 1824 Principal Administrative Analyst to assist the Police Department in their Risk and Capability project. DEM will continue to fund an Emergency Response planner, a Risk Management Planner, and a strategic communications planner position. The San Francisco Fire and San Francisco Police Department will continue to
receive funding for one position each to provide updated plans and protocols within their departments.

(3) Training: $2,170,000
The amount represents the planned allocation to conduct regional Terrorism Liaison Officer training, regional Rescue Boat Operator Training, regional bomb squad classes, Hazmat training, Earthquake Management Training, Rescue system courses, tactical medicine courses, and various response courses for campus police departments.

(4) Exercises: $1,780,000
The amount represents the planned allocation for regional exercise planning, supplies, and the conduct of exercises using HSEEP (Homeland Security Exercise and Evaluation Program) guidelines and requirements. DEM will also continue funding an exercise planner and Alameda County will be provided funding to hire an Exercise overhead planning team.

(5) Organizational: $3,299,095
The amount represents the planned allocation for information sharing and collaboration as well as critical infrastructure protection. This amount pays for salary and fringe costs of regional intelligence analysts that staff the Northern California Regional Intelligence Center (NCRIC).

(6) Management & Administration $1,777,348
Management and Administration expenses include UASI grant administration staff, line item office expenses, 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: $35,546,960
I hereby certify under my personal knowledge that the funds are expendable for the purpose and purpose of this expenditure stated above.

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<td>Fax</td>
<td>415-705-8317</td>
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<td>Telephone</td>
<td>415-705-8310</td>
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<tr>
<td>Name</td>
<td>Teresa Santos</td>
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1. Official Authorized to Sign for Applicant/Grant Recipient: Teresa Santos
2. Federal Employee ID Number: 7305320425

The selection of funds may be contingent upon the accomplishment of the grant's budget. Federal funds will be restricted to all applicable titles and federal laws, including, but not limited to, Federal Program Guidelines, and Cal EPA Policy and Program Guidance. The Grant Recipient agrees that the funds received will be spent only as approved by the City/County Financial Office.

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</tr>
<tr>
<td>Bob Black</td>
<td>Project Manager</td>
<td>Project Management</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

**Contact:**
- [Project Manager](mailto:ProjectManager@Example.com)
- [General Manager](mailto:GeneralManager@Example.com)
- [Director, Strategy & Compliance](mailto:DirectorStrategy@Example.com)
<table>
<thead>
<tr>
<th>Project</th>
<th>Goal</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project A</td>
<td>Goal 6.6.2</td>
<td>(Key problem in the key area)</td>
</tr>
<tr>
<td>Project B</td>
<td>Goal 5.9.5.7</td>
<td>(Specific problem in the area)</td>
</tr>
<tr>
<td>Project C</td>
<td>Goal 7.9.7.4</td>
<td>(Narrative on project C)</td>
</tr>
<tr>
<td>Project D</td>
<td>Goal 8.9.8.2</td>
<td>(Narrative on project D)</td>
</tr>
<tr>
<td>Project E</td>
<td>Goal 9.9.9.9</td>
<td>(Narrative on project E)</td>
</tr>
<tr>
<td>Project F</td>
<td>Goal 10.10.10</td>
<td>(Narrative on project F)</td>
</tr>
<tr>
<td>Project G</td>
<td>Goal 11.11.11</td>
<td>(Narrative on project G)</td>
</tr>
<tr>
<td>Project H</td>
<td>Goal 12.12.12</td>
<td>(Narrative on project H)</td>
</tr>
<tr>
<td>Unit</td>
<td>Description</td>
<td>Code</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>U-1</td>
<td>Gas Detector</td>
<td>GDE-1</td>
</tr>
<tr>
<td>U-2</td>
<td>Flame Detector</td>
<td>FDE-2</td>
</tr>
<tr>
<td>U-3</td>
<td>Smoke Detector</td>
<td>SDE-3</td>
</tr>
<tr>
<td>U-4</td>
<td>Combustible Gas Monitor</td>
<td>CGM-4</td>
</tr>
</tbody>
</table>

*Note: Status column indicates if the equipment is active or inactive.*
<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Room</th>
<th>Instructor</th>
<th>Group</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:00</td>
<td>Class A</td>
<td>204</td>
<td>Instructor 1</td>
<td>Group 1</td>
<td>Notes 1</td>
</tr>
<tr>
<td>11:00</td>
<td>Lab B</td>
<td>205</td>
<td>Instructor 2</td>
<td>Group 2</td>
<td>Notes 2</td>
</tr>
<tr>
<td>12:00</td>
<td>Discussion</td>
<td>206</td>
<td>Instructor 3</td>
<td>Group 3</td>
<td>Notes 3</td>
</tr>
<tr>
<td>13:00</td>
<td>Quiz C</td>
<td>207</td>
<td>Instructor 4</td>
<td>Group 4</td>
<td>Notes 4</td>
</tr>
<tr>
<td>14:00</td>
<td>Project D</td>
<td>208</td>
<td>Instructor 5</td>
<td>Group 5</td>
<td>Notes 5</td>
</tr>
<tr>
<td>Project ID</td>
<td>Site Address</td>
<td>Project Name</td>
<td>Description</td>
<td>Start Date</td>
<td>End Date</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
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<td>-------------</td>
<td>------------</td>
<td>----------</td>
</tr>
<tr>
<td>007361</td>
<td>123 Main St</td>
<td>New School</td>
<td>Construction</td>
<td>2023-01-01</td>
<td>2024-12-31</td>
</tr>
<tr>
<td>007362</td>
<td>456 Elm St</td>
<td>Library</td>
<td>Expansion</td>
<td>2023-04-01</td>
<td>2025-12-31</td>
</tr>
<tr>
<td>007363</td>
<td>789 Oak St</td>
<td>Community Center</td>
<td>Renovation</td>
<td>2023-07-01</td>
<td>2026-06-30</td>
</tr>
</tbody>
</table>

Note: The above table is an example and does not represent real project data.
<table>
<thead>
<tr>
<th>Project Title</th>
<th>Project Code</th>
<th>Project Number</th>
<th>Total Cost</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project 1</td>
<td>P1</td>
<td>10000</td>
<td>500000</td>
<td>Task 1, Task 2, Task 3</td>
</tr>
<tr>
<td>Project 2</td>
<td>P2</td>
<td>20000</td>
<td>750000</td>
<td>Task 4, Task 5, Task 6</td>
</tr>
<tr>
<td>Project 3</td>
<td>P3</td>
<td>30000</td>
<td>1200000</td>
<td>Task 7, Task 8, Task 9</td>
</tr>
</tbody>
</table>

**Notes:**
- All projects are approved and currently in progress.
- Estimated completion dates vary by project.
<table>
<thead>
<tr>
<th>ID</th>
<th>Name</th>
<th>Course</th>
<th>Instructor</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>John Doe</td>
<td>Math 101</td>
<td>Dr. Smith</td>
<td>M 10AM</td>
<td>Room 101</td>
</tr>
<tr>
<td>2</td>
<td>Jane Smith</td>
<td>English 102</td>
<td>Dr. Johnson</td>
<td>T 1PM</td>
<td>Room 202</td>
</tr>
<tr>
<td>3</td>
<td>Mike Brown</td>
<td>Physics 103</td>
<td>Dr. Davis</td>
<td>W 2PM</td>
<td>Room 303</td>
</tr>
</tbody>
</table>

*Note: This is a sample table. Actual information may vary.*
Please reference the instructions Page under the "Authorized Agent" section for instructions/address on where to mail workbook.

Date: 9/30/2011

Signature of Authorized Agent

Teresa Sertas, Director, Strategy & Compliance

Statement of Certification - Authorized Agent

Under penalty of perjury I certify that:

1. The above information is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances.

2. The claim is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances.

This claim is for costs incurred within the grant expenditure period from

(CFR 50 subpart D)(beginning expenditure period date) through (ending expenditure period date)

CFDA #: 97.067 HSGP

Supporting Information for Reimbursement/application of State and Federal Funds

10265-620
10265-640
7026-136

To: I certify that the above information is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances.

Authorized Agent

California Emergency Management Agency
November 17, 2011

Ms. Teresa Serata  
Bay Area USAI  
10 Lombard Street, #410  
San Francisco, CA 94111

SUBJECT: NOTIFICATION OF SUBGRANTEE APPLICATION APPROVAL  
FY 2011 Homeland Security Grant Program (HSGP)  
Grant #2011-SS-0077, Cal EMA ID# 075-95017  
Subgrantee Performance Period: November 17, 2011 to April 30, 2014

Dear Ms. Serata:

The California Emergency Management Agency (Cal EMA) has approved your FY 11 Homeland Security Grant Program (HSGP) award in the amount of $35,546,960. Once your completed application is received and approved, you may request reimbursement of eligible grant expenditures using the Cal EMA financial management forms workbook available at www.calema.ca.gov.

During the review process, a Cal EMA representative examined and evaluated your FY11 HSGP grant application. As a result of this review, some of your funded projects may have been assigned performance milestones shorter than the subgrantee performance period, based on information provided in your application and submitted workbook. Performance milestones will be used by Cal EMA to both determine the appropriate date to disencumber funds awarded under this grant and re-direct them to other needs across the State and as indicators of performance and grant management capacity in future competitive grant applications.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL PROJECTS</td>
<td>$10,000,000</td>
<td>11/30/2012</td>
</tr>
</tbody>
</table>

Additionally, Aviation/Watercraft requests, Establish/Enhance Emergency Operations Center (EOC) projects, projects requiring EHP review and sole source procurement requests will require additional approvals from Cal EMA. For that reason, Project(s), are not approved at this time, pending receipt of required supplemental documentation and/or approval from DHS. Subgrantees must obtain written approval for these activities prior to incurring any costs, in order to be reimbursed for any related costs under this grant. Subgrantees are required to obtain a performance bond for any equipment item over $250,000, or any vehicle, aviation, or watercraft (regardless of the cost) financed with homeland security dollars.

Following acceptance of this award, you must enter your grant information into the US Office of Grants and Training, Grant Reporting Tool (GRT), for the December 2011 Biannual Strategy Implementation Report (BSIR) period. The GRT can be accessed online at https://www.reporting.odp.dhs.gov/.

3650 SCHRIEVER AVENUE, MATHER, CA 95655  
HOMELAND SECURITY, PROP 1B AND EMERGENCY MANAGEMENT BRANCH  
(916) 845-8510 • (916) 324-5902 FAX
Ms. Teresa Serata  
Page Two  
November 17, 2011

Semi-annual performance reports must be prepared and submitted to Cal EMA via the GRT for the duration of the grant period or until all activities are completed and the grant is formally closed. Failure to submit performance reports could result in grant reduction, termination, or suspension.

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.

Your dated signature is required on this letter. Please sign and return the original to your Cal EMA program representative within ten days of receipt, and keep a copy for your files. For further assistance, please feel free to contact your Cal EMA program representative or the Homeland Security Grants Section (HSGS) at (916) 845-8510.

Sincerely,

[Signature]

BRENDAN A. MURPHY  
Acting Undersecretary

[Signature]

Teresa Serata, Authorized Agent,  
Bay Area UASI  

11/28/2011  
Date
California Emergency Management Agency (Cal EMA)

Fiscal Year (FY) 2011 Grant Assurances
(All HSGP Applicants)

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. Will assure that grant funds will support efforts related to providing an integrated mechanism to enhance the coordination of national priority efforts to prevent, respond to, and recover from terrorist attacks, major disasters and other emergencies.

2. 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 U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) and sub- granted through the State of California, Cal EMA.

3. Will assure that grant funds are used for allowable, fair, and reasonable costs only and will not be transferred between grant programs (for example: State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, and Metropolitan Medical Response System) or fiscal years.

4. Will comply with any cost sharing commitments included in the FY 2011 Investment Justifications submitted to DHS/FEMA and Cal EMA, where applicable.

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

6. 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, follow the federal and state approved privacy policies, and achieve (at a minimum) baseline level of capability as defined by the Fusion Capability Planning Tool.

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

8. Will initiate and complete the work within the applicable time frame after receipt of approval from Cal EMA.
9. Will maintain procedures to minimize the time elapsing between the award of funds and the disbursement of funds.

10. Will comply with all regulations applicable to DHS/FEMA grants, including, but not limited to, 44 CFR, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments including, but not limited to, all provisions relevant to the payment of interest earned on advances.


12. 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.

13. Understands and agrees that 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 DHS/FEMA and Cal EMA.

14. Agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

15. Will notify Cal EMA of any developments that have a significant impact on award-supported activities, including changes to key program staff.

16. 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 structures.

17. Will comply, and will assure the compliance of all agents and contractors, with all federal and state statutes 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.
   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. Sections 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 44 Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
   j. The requirements of any other nondiscrimination provisions in the specific statute(s) under which the application for federal assistance is being made.
18. In the event that 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 Cal EMA, FEMA and the U.S. Department of Justice Office of Civil Rights, Office of Justice Programs.

19. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.

20. Will comply 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 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.

21. 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 or more.

22. 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. Applicant 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 reevaluation of compliance with these EHP requirements.

23. Will comply with all regulations applicable to DHS/FEMA grants including, but not limited to, 44 CFR, Part 10, Environmental Considerations. Applicant will also comply with all state laws, including the California Environmental Quality Act.

24. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of DHS/FEMA and Cal EMA including, but not limited to, ground disturbance, construction, modification to any structure, physical security enhancements, communications towers, any structure over 50 years old, and purchase and/or use of any sonar equipment. The subgrantee must comply with all conditions and restrictions placed on the project as a result of the EHP review. Any construction-related activities initiated without the necessary EHP review and approval will result in a noncompliance finding, and may not be eligible for reimbursement with DHS/FEMA/Cal EMA funding. Any change to the scope of work will require re-evaluation of compliance with the EHP. If ground-disturbing activities occur during the project implementation, the subgrantee must ensure monitoring of the disturbance. If any potential archeological resources are discovered, the subgrantee will immediately cease activity in that area and notify DHS/FEMA, Cal EMA, and the appropriate State Historic Preservation Office.

25. Agrees any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. Subgrantees must complete the FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to Cal EMA for review. The EHP Screening Form is part of an Information Bulletin available at: www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.doc. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award.

26. Will ensure that the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project, are not on the Environmental Protection Agency's (EPAs) List of
Violating Facilities, and will notify Cal EMA and FEMA of the receipt of any communication from the 
Director of the EPA Office of Federal Activities indicating if a facility to be used in the project is under 
consideration for listing by the EPA.

27. Will provide any information requested by DHS/FEMA and/or Cal EMA to ensure 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 (11988), Wetlands (11990), 
      Environmental Justice (12898), and Environmental Quality (11514).
   b. Notification of violating facilities pursuant to EO 11738.
   c. 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.).
   d. 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.).
   e. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, 
      as amended (P.L. 93-523).
   f. California Environmental Quality Act (CEQA), California Public Resources Code Sections 
      21080-21098; California Code of Regulations (CCR), Title 14, Chapter 3 Sections 15000-15007.
   g. 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.
   h. 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.

28. 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.

29. 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."

30. Acknowledges that DHS/FEMA reserves a royalty-free, nonexclusive, 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.

31. The recipient agrees to consult with DHS/FEMA and Cal EMA regarding the allocation of any patent 
rights that arise from, or are purchased with, this funding.

32. 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, agrees 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.

33. 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 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).

34. 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.

35. 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.

36. Understands and agrees that the applicant, grantees, subgrantees, recipients, sub-recipients, employees of the applicant, grantees, subgrantees, recipients and subrecipients, 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.

Applicant understands and agrees that Cal EMA and/or DHS/FEMA may unilaterally terminate any award, without penalty, if the subgrantee that is a private entity:

   d. Is determined to have violated a prohibition identified in paragraph 35, subsections a, b, or c; or
   e. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph 35 subsection a, b, or c through conduct that is either:
      i. associated with performance under this award; or
      ii. imputed to the authorized agent or subrecipient using the standards and due process for imputing the conduct of an individual to an organization provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Government wide Department and Suspension (Non-procurement),” as implemented by DHS/FEMA at 2 CFR, Part 3000.

And further understands that subgrantees and subrecipients must:

   f. Inform Cal EMA immediately of any information received from any source alleging a violation of a prohibition in paragraph 35 subsection a, b, or c;
   g. FEMA’s right to terminate unilaterally as described in paragraph 35 implements section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 USC 7104(g)). The right of FEMA and Cal EMA to terminate this award unilaterally is in addition to all other remedies for noncompliance that are available under this award.
h. For purposes of this term:

i. "Employee" means either:
   i. an individual employed by the subgrantee or subrecipient who is engaged in
      the performance of the project or program under this award; or
   ii. another person engaged in the performance of the project or program under
      this award and not compensated by the subgrantee or subrecipient, 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.

ii. "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 subjecting
    involuntary servitude, peonage, debt bondage or slavery.

iii. "Private entity" means any entity other than a state, local government, Indian Tribe,
     or foreign public entity, as those terms are defined in 2 CFR 175.25, and includes
     non-profit organizations, including any non-profit institution of higher education,
     hospital, or tribal organization other than one included in the definition of Indian
     Tribe at 2 CFR 175.25(b), and for-profit organizations.

iv. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have
    the meanings given at section 103 of the TVPA, as amended (22 USC 7102).

37. 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.

38. 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.

39. Agrees that "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.

40. Agrees that 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.

41. Agrees that where an award recipient, grantee, subrecipient, or subgrantee 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. 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
42. Understands that 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
E-mail: DD254/AdministrativeSecurity@dhs.gov

Mail: Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, DC 20528

43. Agrees with the requirements regarding Data Universal Numbering System (DUNS) Numbers, meaning if recipients are authorized to make subawards under this award, they must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive or make a subaward to any entity unless the entity has provided its DUNS number.

a. For purposes of this award term, the following definitions will apply:

i. "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).

ii. "Entity", as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C, as a Governmental organization, which is a state, local government, or Indian Tribe; or a foreign public entity; or a domestic or foreign nonprofit organization; or a domestic or foreign for-profit organization; or a federal agency, but only as a sub-recipient under an award or subaward to a non-federal entity.

iii. "Subaward" 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. It 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") and may be provided through any legal agreement, including an agreement that you consider a contract.

iv. "Subrecipient" means an entity that receives a subaward from you under this award; and is accountable to you for the use of the federal funds provided by the subaward.

44. 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.

45. 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 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.

46. 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.

47. 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.

48. Will comply with all applicable federal statutes, regulations, policies, guidelines and requirements, including OMB Circulares A102 and A-133, E.O. 12372 and the current Administrative Requirements, Cost Principles, and Audit Requirements.

49. Will comply with all provisions of 2 CFR, including: Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110); Part 225 Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87); Part 220 Cost Principles for Educational Institutions (OMB Circular A-21); Part 230 Cost Principles for Non-Profit Organizations (OMB Circular A-122).

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

51. 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.

52. Will comply with Federal Acquisition Regulations (FAR), part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.


54. Agrees that all allocations and use of funds under this grant will be in accordance with the FY 2011 Homeland Security Grant Program Guidance and Application Kit, and the California Supplement to the
FY 2011 Homeland Security Grant Program 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 Homeland Security Grant Program application. Further, use of FY 2011 funds is limited to those investments included in the California FY 2011 Investment Justifications submitted to DHS/FEMA and Cal EMA and evaluated through the peer review process.

55. Will not make any award or permit any award (subgrant or contract) to any party that is debarred or suspended or is otherwise excluded from or ineligible for participation in federal assistance programs under EOs 12549 and 12689, "Debarment and Suspension".

56. As required by EO 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions, the applicant certifies that it and its principals:

   a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency.

   b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

   c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and 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 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.

57. Agrees to comply with the Drug-Free Workplace Act of 1988, 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 ongoing drug-free awareness program to inform employees about:

      i. The dangers of drug abuse in the workplace;
      ii. The grantee's policy of maintaining a drug-free workplace;
      iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
      iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

   c. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).

   d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

      i. Abide by the terms of the statement; and
      ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
c. Notifying Cal EMA, in writing, within 10 calendar days after receiving notice under subparagraph (d)(ii) 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, DC 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)(ii), with respect to any employee who is so convicted.

i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraph 57 subsections (a), (b), (c), (d), (e), and (f).

58. Will comply with all applicable requirements of all other federal and state laws, EOs, regulations, program and administrative requirements, policies and any other requirements governing this program.

59. Understands the reporting of subawards and executive compensation rules, including first tier subawards to Cal EMA.

a. Applicability: unless you are exempt as provided in subsection (d) of this paragraph, subrecipient 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.

b. Where and when to report: you must report each obligating action described in the following paragraphs to Cal EMA. 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, 2011, the obligation must be reported by no later than December 31, 2011.)

c. What to report: You must report the information about each obligating action that the submission instructions posted in Information Bulletin 350, to Cal EMA.

d. Reporting Total Compensation of Recipient Executives: 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 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 $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.

iv. Subrecipient Executives. Unless you are exempt as provided above, 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 in the subrecipient's preceding fiscal year, the subrecipient received 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 $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 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.) You must report subrecipient executive total compensation to Cal EMA 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.

60. Exemptions to Paragraph 59 include: If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report on subawards, and the total compensation of the five most highly compensated executives of any subrecipient.

a. Definitions associated with paragraph 59 include:

i. "Executive" means officers, managing partners, or any other employees in management positions.

ii. "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)):

- Salary and bonus.
- 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.
- 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.
- Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- Above-market earnings on deferred compensation which is not tax-qualified.
- 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.

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

Printed Name of Authorized Agent: Teresa Serata

Title: Director, Strategy & Compliance Date: 11/16/11