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September 18, 2013

Honorable Members of the City Council
City of Los Angeles
City Hall, Room 395
Attention: City Clerk

Honorable Eric Garcetti
Mayor, City of Los Angeles
Room 303, City Hall
Attention: Mandy Morales, Legislative Coordinator

[BFC 13-107] – 2012 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) URBAN SEARCH AND RESCUE TASK FORCE COOPERATIVE AGREEMENT FUND TRANSFER REQUEST, COUNCIL FILE 12-1627

At its meeting of September 17, 2013, the Board of Fire Commissioners approved a fund transfer request to the 2012 FEMA Urban Search and Rescue Task Force Cooperative Agreement. The report is hereby transmitted concurrently to the Mayor and City Council for review and approval.

Should you need additional information, please contact the Board of Fire Commission Office at 213-978-3838.

Sincerely,

Leticia Gómez
Commission Executive Assistant

Attachment

cc: Board of Fire Commissioners
Fire Chief Cummings

APPROVED: 9/17/13
BOARD OF FIRE COMMISSIONERS
BY: *[Signature]*
COMMISSIONER EXECUTIVE ASSISTANT

September 17, 2013



LOS ANGELES FIRE DEPARTMENT

BRIAN L. CUMMINGS
FIRE CHIEF

September 2, 2013

BOARD OF FIRE COMMISSIONERS
FILE NO. 13-107

TO: Board of Fire Commissioners
FROM: Brian L. Cummings, Fire Chief
SUBJECT: 2012 FEMA URBAN SEARCH AND RESCUE TASK FORCE
COOPERATIVE AGREEMENT FUND TRANSFER REQUEST,
COUNCIL FILE 12-1627

FINAL ACTION:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

SUMMARY

On April 4, 1993, the Mayor and City Council authorized the Los Angeles Fire Department (LAFD) to execute a Memorandum of Agreement (MOA) with the Governor's Office of Emergency Services and the Federal Emergency Management Agency (FEMA). These actions established LAFD as a sponsoring agency and host of a FEMA Urban Search and Rescue (US&R) Task Force, California Task Force 1 (CA-TF 1). Through the MOA, FEMA supports CA-TF 1 annually using a Cooperative Agreement (Attached) to fund the program. The Agreement supports an equipment cache, CA-TF 1 member training, and full-time personnel to manage the cache and administrate CA-TF 1's US&R program.

FEMA's ongoing method of supporting US&R Task Forces throughout the country is by funding Cooperative Agreement Grants to sponsoring agencies for necessary equipment, training, supplies, and program administration costs. On January 29, 2013, the Council accepted a FEMA Cooperative Agreement Grant (EMW-2012-CA-K00016) in the amount of \$1,276,608 for a period of August 1, 2012 through January 31, 2014. (C.F. 12-1627). On May 7, 2013, FEMA extended this Agreement until January 31, 2015 in order to complete the grant expenditures as part of the 2012 Statement of Work. As of July 30, 2013 a balance of \$539,782 remained unspent. The period of performance of this grant spans over three fiscal years, therefore a funds transfer is needed to complete the goals of this grant.

The amount spent this past Fiscal Year was primarily to cover the salaries for the resolution authorities, covering two (2) Captain I positions, and one (1) Management Analyst II position. Fringe benefits were covered for these positions as well.

Our CA-TF 1 training was provided through the use of V-hours paid for by the 2012 FEMA Grant in order to maintain the skill levels of the rostered Task Force members. Travel expenses and the procurement and maintenance expenses of the Task Force equipment cache were also paid out of these grant funds.

The Agreement's funding mechanism uses a "draw-down" system where the LAFD loans funds from its existing general fund accounts for CA-TF 1 expenditures, which is reimbursed by drawing down from the grant award and reimbursing LAFD accounts. The Agreement does not require a cost-share by either the Department or City. All grant mandated expenditures shall be reimbursed from the FEMA US&R account in a timely, on-going basis, as expenditures are processed according to City procedures.

RECOMMENDATIONS

That the Board:

1. Approve and transmit the report to the Mayor and the City Clerk for Committee consideration and City Council approval.

It is also respectfully recommended that the Board request that the Mayor and City Council:

2. Authorize the Controller to transfer \$285,000 from Department 38, Fund 100, Account 001012 (Salaries Sworn) to Department 38, Fund 335, Account 38012R, to support the necessary expense and purchase of equipment items that will be reimbursed by the FEMA grant.
3. Authorize the Fire Chief, or his designee, to deposit the FEMA grant funds received under this cooperative agreement into Department 38, Fund 335, Account to be determined (Fire Department Grants) and reappropriate back to Department 38, Fund 100, Account 001012 (Salaries Sworn) as reimbursements are received.
4. Authorize the Controller to transfer FEMA grant funds up to \$244,782, from Department 38, Fund 335, Account 38012R to Department 38, Fund 100, Account 001012 (Salaries Sworn), Account 001010 (Salaries General), and Account 001098 (Variable Staffing) based on the LAFD submissions to the Office of the City Administrative Officer (CAO) documenting actual costs incurred for this FEMA US&R no-match Cooperative Agreement Program through the end of the extended grant term of January 31, 2015.
5. Authorize the Fire Chief, or his designee, to deposit FEMA grant funds received under this grant into Department 38, Fund 100, Account 004681 for fringe benefits upon submission of proper documentation by the Los Angeles Fire Department of actual costs incurred from the continued development and maintenance of US&R Response System resources through June 1, 2014.

6. Authorize the Controller to transfer the uncommitted balance of advanced funds as of June 1, 2014, from Department 38, Fund 335, Appropriation Account 38012R to Department 38, Fund 100, Account 001012 (Salaries Sworn) to meet payroll needs.

FISCAL IMPACT

The Department needs to transfer \$285,000 from Department 38, Fund 100, Account 001012 (Salaries Sworn) to Department 38, Fund 335, Account 38012R to support the expense and equipment purchases necessary for the programs operations in Fiscal Year 2013/2014. The remaining grant funds are salary expenses for program administration and training personnel costs, these costs will come directly from the salary accounts and be reimbursed back into the salary accounts.

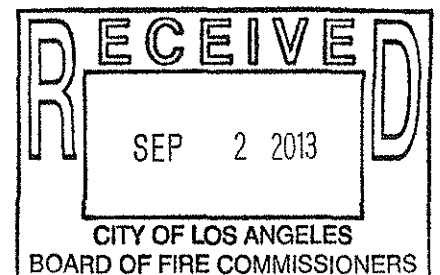
The 2012 Cooperative Agreement is a fully reimbursable, "draw-down" grant with no cost-share. There is no long-term fiscal impact.

CONCLUSION

As the sponsoring agency of a US&R Task Force, CA-TF 1, the LAFD receives annual grants to support, maintain, and enhance CA-TF 1's readiness. The report recommendations are necessary to ensure appropriate accounting and financial procedures are in place to allow the LAFD to expend the grant funds. This is a no-match reimbursement grant of \$1,276,608 of which \$285,000 remains available for expense and equipment.

Board report prepared by Mary Reuschel, Management Analyst II, Emergency Services Bureau.

Attachment



National Urban Search and Rescue Response System
US&R Task Force FY 2012 Readiness Cooperative Agreement
Statement of Work

I. PURPOSE

The U. S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) are accountable to provide support and funding for the maintenance and readiness of the National Urban Search and Rescue (US&R) Response System. The purpose of this **Readiness Cooperative Agreement** is to support the continued development and maintenance of a national urban search and rescue capability.

Specifically, this agreement provides a mechanism for distribution of Cooperative Agreement funding for certain purposes in preparation for US&R disaster response. This Cooperative Agreement allows each Sponsoring Agency of a US&R task force the opportunity to maintain a high standard and condition of operational readiness and includes guidance on key areas for task force management to focus on continued preparedness efforts.

This cooperative agreement provides direction to the US&R task force Sponsoring Agency for the use of funding to provide: administrative and program management, training, support, equipment cache procurement, maintenance and storage.

II. BACKGROUND

DHS/FEMA, in cooperation with other federal, state and local agencies created the National US&R Response System to provide a national rescue capability that provides lifesaving resources to victims of structural collapse. When this system was developed in 1990, there was limited capability in only a few states to perform this mission and no resources were available for a coordinated national response.

In 1992, the Federal Response Plan (FRP) was published by FEMA and coordinated activities with 26 federal agencies. The federal government's response to disasters was classified into 12 Emergency Support Functions (ESF). ESF-9, Urban Search and Rescue, was established with FEMA as the Primary Agency. FEMA maintains a national consensus on standard operating procedures, organizational structure, equipment, training and exercise requirements. Currently, 28 state and local Sponsoring Agencies in 19 states participate in the National US&R Response System by making their task forces available for national disaster response.

DHS/FEMA had no organic heavy rescue capability of its own and realized the best sources for US&R knowledge and skills reside at the state and local level. The National US&R Response System was developed and continues as a federal–state–local partnership, based on a Memorandum of Agreement (MOA) and individual Response and Readiness Cooperative Agreements. While the MOAs provide the basic

operational "**Agreement**" between DHS/FEMA, the state and Sponsoring Agency, the individual Readiness Cooperative Agreement provides the mechanism for distributing federal funds to the Sponsoring Agencies of the 28 US&R task forces for continued readiness efforts.

In December 2004, the National Response Plan (NRP) was published by DHS which integrates the Federal Response Plan into the NRF. NRP has since been updated in January 2008 and is now referred to as the National Response Framework (NRF). At this time, ESF-9 was expanded and now encompasses urban, water-borne, and land-based search and rescue environments.

III. DHS/FEMA OBJECTIVES

DHS/FEMA, through the US&R Branch and Grant Programs Directorate, shall:

1. Provide oversight and funding to US&R Sponsoring Agencies to manage and administer task force affairs and activities in accordance with accepted standard business practices.
2. Provide oversight and funding to train and exercise National US&R Response System personnel to safely perform assigned US&R duties in accordance with established FEMA/US&R approved standards and guidance.
3. Provide oversight and funding to acquire and maintain the equipment in accordance with the US&R Equipment Cache List as approved by the FEMA US&R Branch.
4. Provide oversight and funding for the lease of space to provide offices, training facilities and/or storage of vehicles and equipment, as needed.
5. Provide resources (e.g., staff, equipment, funding) to support readiness and standby activities, subject to availability of funds (e.g., catastrophic planning, technical assistance, mobilization exercises, etc.).
6. Provide a forum for discussion on strategic issues by hosting an annual Sponsoring Agency Chief/Head meeting with the DHS/FEMA Administrator, or designee.

IV. APPROVALS

Advance approval must be obtained in writing from both the US&R Branch and the FEMA Grants Assistance Officer for the following (in accordance with Grants Management Policy and 44 CFR Part 13 and 2 CFR Part 215):

- Approval for activities or expenditures not identified in the task force narrative and budget, but are allowable within the scope of work for this Cooperative Agreement (i.e., budget changes);
- Requests for extension of the period of performance for this Cooperative Agreement

- Requests for spending Cooperative Agreement funds prior to the beginning of this period of performance ("pre-award costs")

Unauthorized expenditures may be denied and required to be reimbursed to DHS/FEMA. Use of Cooperative Agreement funds provided through this agreement for any activity that occurs outside the United States and its territories, is prohibited unless authorized by the US&R Branch, FEMA Grants Office and FEMA International Affairs prior to incurring costs for the activity.

V. APPLICABLE LAWS AND POLICIES/ORDER OF PRECEDENCE

This award is subject to the laws and regulations of the United States. This Cooperative Agreement incorporates the terms and requirements of any applicable Agency policies and all US&R Program Directives issued by the US&R Branch, including those issued during the term of this Cooperative Agreement.

Any inconsistency or conflict in terms and conditions specified in the award will be resolved according to the following order of precedence: public laws, regulations (including the US&R Interim-Final Rule at 44 CFR Part 208), applicable notices published in the Federal Register, Executive Orders, OMB Circulars, agency award conditions, the terms and conditions of the Sponsoring Agency's Memorandum of Agreement with FEMA, applicable DHS and FEMA policies, US&R Program Directives and US&R General Memorandums.

Some of the terms and conditions contained herein may contain, by reference or substance, a summary of the pertinent statutes, regulations, Executive Orders, or OMB Circulars. To the extent that it is a summary, such provision is not in derogation of, or an amendment to, any such statute, regulation, Executive Order, or OMB Circular.

VI. COOPERATIVE AGREEMENT FUNDING

The FY 2012 Cooperative Agreements basic total for each task force is \$1,261,108. The US&R Branch recommended allocations are outlined in Appendix C of this document. Additional funds allocated to specific task forces are provided by the US&R Branch in Appendices D, E, and F.

Each task force can apply for up to the amount allocated to their agency as shown in Appendix D (previously provided by US&R Branch). All Sponsoring Agencies must submit supporting documentation with each application.

The Period of Performance for the FY 2012 US&R Readiness Cooperative Agreement funding is 18 months. Each task force should submit budget plans covering only 12 months for salary expenses, lease costs and scheduled training costs within the period of performance. However, the 18 month performance period is available for internal acceptance of funds and procurement of equipment and supplies. Should a continuing resolution impact the US&R appropriation within the FY 2012 cooperative agreement period of performance, a waiver may be given by FEMA to allow task forces to submit a budget change to cover salary expenses and lease costs for more than a 12 month period.

VII. DHS/FEMA/US&R BRANCH RESPONSIBILITY

1. Review, approve, and adopt US&R-related products, including technical manuals, operational procedures, training curriculum and supporting manuals, meeting agendas and other requirements for the National US&R Response System.
2. Coordinate and support meetings relating to the National US&R Response System activities, to develop and implement policies, procedures and US&R System documents.
3. Establish and disseminate policy and Program Directives for the National US&R Response System based on 44 CFR Part 208 and with substantial involvement and input from the partner sponsoring agencies and their members.
4. In cooperation with the US&R Strategic Group determine annual funding levels for readiness activities.
5. Purchase equipment and deliver to US&R task forces, based on need and available funding.
6. Review and/or approve expenditure reports, performance reports, personnel records, training records, task force self-evaluation documents, equipment cache and excess property inventories and other deliverables required by the US&R Branch.

US&R Task Force FY 2012 Readiness Cooperative Agreement - *Statement of Work*

7. Review and approve/disapprove in writing, in conjunction with the Grants Assistance Officer, any cost deviations or budget revisions from those prescribed in this agreement or from other DHS/FEMA established policies.
8. Implement the policy, criteria and procedure for task force evaluations. Distribute an annual Task Force Self-Evaluation survey with 45-day submission suspense, for completion by the task forces. Conduct a cooperative peer-based administrative readiness evaluation program.
9. Track, disseminate, and consistently update the status of Operations and Work Group recommendations to all System components.
10. Based on various planning factors, the US&R Branch may alert or activate task forces for activities associated with scheduled NSSEs. Task forces activated under this section will be notified in advance, through written activation orders that will provide authorization for travel and to carryout activities of the required operations. Prior to any activities under this section, the US&R Branch will request cost estimates from identified task forces. This item would be funded separately from annual Cooperative Agreement funding, but could be either an amendment to this Cooperative Agreement or the Response Cooperative Agreement.
11. Provide at least one full-time US&R Branch staff member to each of the recognized Work Groups to assist the Work Group Chair in the administration of the work group.
12. Annually provide the Sponsoring Agencies/Task Forces with an organization chart of the US&R Branch staff delineating program staff responsibilities.

VIII. SPONSORING AGENCY RESPONSIBILITY AND REQUIREMENTS

Under this Readiness Cooperative Agreement, the Sponsoring Agency shall use funding to prepare the task forces under the following categories: Administration/Management, Training, Equipment, and Storage/Maintenance.

A. ADMINISTRATION AND MANAGEMENT

1. Provide sufficient staff for management and administration of the US&R task force day-to-day activities. This staff shall be responsible for program management, grants management, financial management, administrative support, training coordination and instruction, logistics management and property accountability. These management responsibilities include, but are not limited to, task force salaries and expenses coordination; record-keeping; inventory and maintenance of the US&R equipment caches; communicating with task force members and parties who support task force activities; and similar management and administrative tasks.

US&R Task Force FY 2012 Readiness Cooperative Agreement - *Statement of Work*

2. Purchase equipment necessary to administer the task force. These items may include but are not limited to, laptop and desktop computers, cellular telephones/wireless PDAs, printers, scanners, copy machines, office furniture, video conference capability, etc.
3. Recruit, train and maintain a roster of personnel to enable complete staffing of a Type I US&R Task Force. Positions shall be staffed from within the task force organization, unless prior approval is given by the US&R Branch. The rostered staffing level shall be a maximum 210 personnel, plus up to 10% allowable staffing overage, to address attrition, IST members, etc. The task force shall pursue the goal to roster the minimum of 140 deployable personnel; two deep at each of the 19 functional positions required for a Type I configuration.
4. The task force shall procure and maintain the required Haz mat preparedness and response equipment and supplies and train personnel according to current US&R policy. Doing so will allow the Task Force to perform rescue operations in a contaminated environment, as defined in the US&R Haz Mat Concept of Operations.
5. Ensure each task force member meets the necessary license, certification or other professional qualification requirements of their assigned position at time of deployment. Further ensure that the task force has the documentation on file to verify currency.
6. The task force may use funds to cover salary and travel for product research and development efforts, when authorized by the US&R Branch who will coordinate with the Grant Programs Directorate.
7. The task force may use funds to cover salary and travel to enable task force personnel to collaborate with federal, state, or other entities (e.g., other US&R System asset(s), emergency responders) to enhance the capabilities of the National US&R Response System.
8. Ensure the task force is prepared for Administrative Readiness Evaluations (AREs) by completing an internal self-evaluation operational readiness and preparedness survey (Phase I Evaluation) as provided by the National US&R Branch. The completed electronic copy of the self-evaluation shall be submitted to the US&R Branch Chief by September 10th, or as otherwise directed by the US&R Branch.
9. Submit to DHS/FEMA US&R Branch the following items on one password-protected compact disk (CD) by June 1st.
 - a. A current database of task force personnel, in a Microsoft Access-compatible database format.
 - b. A current US&R task force equipment cache database in a Microsoft Access-compatible database format. This database shall include both equipment caches.

US&R Task Force FY 2012 Readiness Cooperative Agreement - *Statement of Work*

- c. A current Time-Phased Force Deployment Data (TPFDD) form ("Aircraft Loading Data"), in a format provided by the US&R Branch.
 - d. A transportation plan including all vehicles and trailers for both a Type I and Type III over-the-road configuration.
10. Ensure funds are properly allocated, accounted for, and reported for those task force members who serve as the Sponsoring Agency Chief Representatives, the Operations Group Chair, Work Group Chairs, Sub-Group Chairs, the National and Divisional Task Force Representatives, as appropriate and authorized by the US&R Branch. These funds are intended to defray personnel salary, backfill, travel and other administrative costs associated with these positions for assigned task forces in accordance with Appendices D, E, and F.
11. Ensure timely reporting of expenditures for readiness activities carried out under this agreement and timely delivery of Cooperative Agreement reporting. Refer to Section IX, Reporting.
12. As funding allows, ensure personnel salaries and expenses relating to task force administration, development and training preparedness activities are paid in accordance with established Sponsoring and Participating Agency policies/practices and in a timely manner, but no later than 120 days after completion of a training exercise. Appropriate personnel records shall be kept in accordance with 44 CFR Part 13 (FEMA's codified version of OMB Circular A-102), and 2 CFR Part 215 (OMB Circular A-110).
13. Compliance with the NIMS is a condition for award of this Cooperative Agreement as outlined in Homeland Security Presidential Directive 5, Managing Domestic Incidents. Sponsoring Agencies must comply with the NIMS Implementation Activities established annually by FEMA. Sponsoring Agencies must report NIMS compliance activities in accordance with state and local NIMS guidance. Additionally, a certificate of completion for each required course in accordance with current the Position Descriptions must be located in each US&R task force member's personnel file. State offered NRF NIMS or equivalent certificates may be substituted for those courses offered on the FEMA NIMS website provided they meet federal NIMS standards. For further information on compliance and guidance, refer to the following website:
<http://www.fema.gov/emergency/nims/index.shtm>.
14. Attend DHS/FEMA-sponsored or DHS/FEMA-approved US&R meetings, conferences, and training sessions, or other events as directed by the US&R Branch as they relate to the National US&R Response System. Other activities include on-site peer Administrative Readiness Evaluation's (ARE), quality assurance oversight of FEMA-sanctioned training courses, training with other Task Forces, grants management training, State Urban Search and Rescue (SUSAR) Alliance meetings/activities, and research & development for equipment, as directed by the US&R Branch. The US&R Branch is recommending allocation of certain funds as identified in Appendix C for travel.

All travel funds shall be accounted for under Management and Administration and/or Training at the task force level.

15. Provide complete medical evaluations and immunizations to task force members as defined by the US&R Medical Work Group. Medical screening should be conducted, at a minimum, on a triennial basis for each task force member. Each task force member must have a current Fit for Deployment form signed by the examining physician on file. This document along with the medical evaluation shall become part of each member's personal medical record. Please refer to the most current US&R Program Directive.

B. TRAINING

1. Provide US&R-related or US&R-required training for task force personnel, including the delivery of local US&R training courses or other courses specifically required by the US&R Position Descriptions or authorized by the US&R Branch. This should include equipment specific training provided by the manufacturer and authorized repair technician certification training to allow task forces to have members certified to conduct manufacturer approved repairs in- house.
2. As funding permits, conduct at least one task force mobilization or deployment exercise during the Cooperative Agreement period of performance. The task force is encouraged to exercise as many task force members as possible during this cooperative agreement.
 - a. A federal task force deployment defined as a task force arriving at a point of assembly during the period of performance would satisfy this requirement, as long as the Activation Order is filed with this Cooperative Agreement Period of Performance.
 - b. Non-federal task force deployments could satisfy this requirement, but a request to do so must be submitted to the US&R Branch for review and approval.
 - c. If a task force is deployed, those funds originally set aside for a deployment exercise may then be used for other US&R approved items within the same budget category. This change must be addressed in the Semi-Annual Performance Report. A budget change is only required when funds are moved to another program budget category.

More detailed exercise and evaluation criteria will be distributed by the US&R Branch within the FY 2012 period of performance, which will provide specific criteria for scheduled exercises conducted by the task force.

3. Task forces should notify the US&R Branch of mobilization or full-scale exercises as soon as the exercise is scheduled, but not later than 60 days before the exercise begins. Notification should be brief, but include dates, scope of exercise, number of participants, and other agencies involved. The intent of this notification is to provide the US&R Branch planning information for administrative readiness evaluations (ARE's) and scheduling joint exercises with other

US&R Task Force FY 2012 Readiness Cooperative Agreement - *Statement of Work*

DoD/federal Agencies. It does not take the place of, and should not be confused with sanction request letters to obtain FEMA approval of TF sponsored training and exercises in accordance with Program Directive 2004-001.

4. Submit an after-action report within 90 days of the completion of a mobilization or full-scale exercise, or a training activity with duration of more than 24 consecutive hours. Send the report to the attention of the US&R Branch Chief and written in a format where lessons learned may be shared with other task forces in the National US&R Response System.
5. Ensure training and exercise activities of the task force meet National US&R Response System standards, requirements and certifications. Ensure training records for all task force personnel are kept in a central, secure location.
6. Provide funding for expenses related to the acquisition, maintenance, training and certification of US&R Canine Search Teams. This statement is not related to the funding provided to host canine evaluations.
7. When authorized, ensure funds are distributed in support of hosting a National US&R Response System Canine Evaluation or Preparation, as stated in accordance with Canine Evaluation schedules identified in Appendix I. When funding for the Canine evaluations exceeds actual costs, the excess allocated funds may be redirected to other US&R Program activities that support the task force's canine program under Item 5. If remaining funds are used to cover costs under Section VIII, A, Item 14, include items and their cost in their Semi-Annual Performance Report submission.
8. Provide third party grants management training to assigned task force Grant Managers and Assistants who have not previously attended training. Grant management training is mandatory for all US&R Grants Managers and Assistants. Grant management training is optional, but highly recommended, for US&R Program Managers and other key personnel assigned to US&R administrative duties. Personnel should attend training from a facility that provides a "Grants Certificate Program" and/or the US&R grant manager course. The task force shall submit information regarding the program or classes to the Grants Assistance Officer for written approval prior to registering or attending any classes. The Grants Assistance Officer may be contacted for further information on classes offered. Examples of some grants management courses are:
 - a. Managing Federal Grants and Cooperative Agreements for Recipients,
 - b. Uniform Administrative Requirements: OMB Circular A-102 and 2 CFR Part 215
 - c. Cost Principles: 2 CFR Part 220 (A-21), 225 (A-87), 230 ((A-122), and FAR 31.2
 - d. Applying for Federal Grants and Cooperative Agreements
 - e. How to Prepare the Application Budget
 - f. Business Management Systems for Recipients
 - g. Audit of Federal Grants and Cooperative Agreements.

Every effort shall be made to attend continuing education by task force Grant Managers and Assistants during the cooperative agreement to stay current with regulation updates/changes.

9. Provide Microsoft (MS) Access database and MS Excel training, as needed to US&R logistics and program management personnel to maintain personnel, equipment, grant, financial and accountability records. Program Managers are authorized to use readiness funding to provide "beginner", "intermediate" and "advanced" MS Access Database and MS Excel training to program management personnel.

C. EQUIPMENT

1. The Sponsoring Agency is authorized to purchase equipment as listed in the most current approved **DHS/FEMA Task Force Equipment Cache List**. Task force personnel are reminded and directed not to exceed quantity caps (except in those cases where sufficient numbers are required for sizing) as listed on the cache list and the current manufacturer's suggested retail price (with documentation), unless prior approval is received in writing from the US&R Branch. Task force must follow Sponsoring Agency procurement regulations, which are in accordance with 44 CFR Part 13 or 2 CFR Part 215 to ensure reasonable prices are obtained. Special consideration is given to task forces to purchase other equipment items in support of training, administrative, and warehouse/maintenance needs. Any other equipment not specified above can only be purchased after receiving written approval from the US&R Branch.
2. When funding is provided, ensure that funds are made available to purchase and maintain medical response kits for the IST Medical Officer assigned to the task force identified, to the extent that the funding will allow.
3. Specific task forces are identified and provided funds to cover maintenance costs of the IST "B" and "C" cache. Cooperative Agreement regulations apply to these funds and shall not be transferred to a Participating Agency.
4. Specific task forces are also identified and provided funds to cover maintenance costs of the seven Hazardous Materials Equipment Push Package (HEPP) Caches. Additionally, funds provided to support training and to purchase supplies for the Breathing Air Trailers that will be a component of the HEPP Caches. Cooperative Agreement regulations apply to these funds and shall not be transferred to a Participating Agency.
5. **All equipment must be tracked as to its origin.** Equipment that is procured with this Cooperative Agreement funding shall be identified with the source, cache list number and Cooperative Agreement number, in accordance with 44CFR, Part 13 or 2 CFR Part 215. Additionally, federal equipment shall be properly identified as to the ownership and funding source (including Agency name and Cooperative Agreement number or Disaster/contract number). The

tracking can be accomplished through procurement documents, through fields in a database, or spreadsheet. It is the responsibility of each task force to develop a method of tracking in accordance with this section. However, it should be a system that will easily and quickly identify the information. Additionally, all procurement records and receipts should be cross-referenced and coded with the Cooperative Agreement number, cache list item number, Statement of Work section, or source of origin, or a system to easily and quickly identify the information.

6. Transportation equipment is authorized for purchase as part of this Cooperative Agreement with prior approval from the US&R Branch and Grants Assistance Officer in writing.
7. Equipment and prime mover vehicles purchased with federal funds or provided by DHS/FEMA shall be for the use of the National US&R Response System and **shall not be used for normal day-to-day operations of the Sponsoring or Participating Agency** for purposes that do not directly support the task force. However, this requirement does not preclude the Sponsoring Agency from using this equipment or vehicles on a local, regional or state disaster response or under other extraordinary circumstance. The US&R Branch Chief shall be notified immediately in writing of any exceptional use of the two US&R equipment caches that diminish the response capability of the task force. The Sponsoring Agency is responsible for replacement, re-supply and or repair of equipment used or consumed during activities not associated with the National US&R Response System and return to an immediate state of readiness.
8. **Task forces are not authorized to purchase equipment with funds authorized through the DHS/FEMA Assistance to Firefighters Grant Program.** However, this does not prevent the Sponsoring Agency from applying to the DHS/FEMA Assistance to Firefighters Grant Program for other costs or items not associated with the National US&R Response System.
9. Title for the original cache, vehicles, and all equipment purchased under the Cooperative Agreements reside with the task forces (44 CFR Part 13).
10. Title to the new DHS (i.e., "Second Cache") equipment cache purchased and distributed to the task forces by FEMA resides with DHS/FEMA.
11. Title for any equipment purchased under this Cooperative Agreement directly by a task force shall reside with the task force.
12. Should the task forces transfer, sell, or scrap any of the equipment and/or vehicles, they are required to first ask for prior written approval and disposition instructions from the US&R Branch and Grants Assistance Officer for all federally-furnished equipment and all grant-purchased equipment with a single item value over \$5,000 (in accordance with 44 CFR 13.32(e) and FEMA Manual 6150.1, dated July 1996, or current edition at time of disposition).

13. For the purpose of accountability and safety, US&R task force is authorized to purchase an ID System, as long as they meet the requirements outlined in US&R Program Directive 2006-019 – Accountability and Medical Information Cards.

D. MAINTENANCE AND STORAGE

1. Maintain an accountability of property acquired under Cooperative Agreement funding, distributed federal property and acquired federal excess property. Provide an annual report to DHS/FEMA on the status of federal property each year, as part of the database submittal to the US&R Branch Chief. Conduct an inventory of federal property and property acquired under Cooperative Agreement funding, in accordance with 44 CFR Part 13 or 2 CFR Part 215.
2. Provide manufacturer's recommended maintenance and repair to US&R equipment acquired and specifically identified on the DHS/FEMA approved US&R Equipment Cache lists. Also, provide maintenance and repair to any supplemental equipment as approved by DHS/FEMA, which was purchased with DHS/FEMA funding and delivered to the task forces, purchased during a federal US&R field response, or was acquired with DHS/FEMA approval through the Federal Excess Property Program. Task forces are expected to perform routine maintenance of equipment to maintain a state of readiness.
3. As part of the operational readiness of each task force, all US&R equipment shall be maintained in an immediate state of readiness in a cache storage facility or facilities. This may include planning and engineering and other costs for development, maintenance, and/or lease of storage facilities and associated equipment for US&R equipment and supplies. Any costs for upgrades to existing warehouse facilities associated with this funding must be included in the budget narrative or submitted as a budget change and be approved by the US&R Branch and the Grants Assistance Officer prior to the start of any work. Task force personnel are reminded, if they are relying totally on the Cooperative Agreement for funding leased warehouse space, they are not permitted to enter into agreements for longer than the Period of Performance of the Cooperative Agreement. However, contracts can be written with an available funds clause or "option" years for protection. This Cooperative Agreement may not be used for funding new capital construction. However costs associated with leasing, upgrading, minor renovations and modifications of existing warehouse facilities that do not change the footprint of the structure are permitted.
4. The day-to-day repair, maintenance, storage and administrative costs for all equipment purchased or provided by DHS/FEMA will be accomplished via this Cooperative Agreement funding provided and in accordance with the cost principles (2 CFR, Part 225). Refer to 2 CFR Part 225 or 2 CFR Part 230(Cost Principles) for specific guidance on purchasing insurance.

IX. REPORTING

The Sponsoring Agency shall use the following procedure for reporting. There are several types of reports required for this agreement. Refer to Appendix H for specific instructions and points of contact to submit all reports and deliverables.

A. REQUIREMENTS

1. **Task Force Self-Evaluation:** as identified in Section VIII, Subsections A.8 of this document is due by September 10th (or as otherwise directed by the US&R Branch).
2. **Personnel and Equipment Database CD submittal:** as identified in Section VIII, Subsections A. 9 and D. 1. Provide DHS/FEMA with an updated database of the task force personnel and the US&R equipment cache in a Microsoft Access database program. Also provide a current Task Force Phased Deployment Data (TFPDD) form, in a format provided by the US&R Branch and a transportation plan including all vehicles and trailers for both a Type I and Type III over-the-road configuration. Copy files onto **one** CD and forward the disk to the US&R Branch by overnight carrier. This CD shall be submitted with a cover letter addressed to the US&R Branch directed in **Appendix H** by June 1st.
3. The **Semi-Annual Performance Report** is due to the DHS/FEMA US&R Readiness Cooperative Agreements Project Officer for the duration of this agreement and is a written report providing a narrative and expenditures, as explained below.
 - a. The Sponsoring Agency shall electronically send the first report semi-annually by January 30th (covering the time period of July 1st through December 31st) and the second by July 30th (covering the time period of January 1st through June 30th) of each year until the Cooperative Agreement is closed.
 - b. The Performance Report shall include task force accomplishments and the total budgeted, expenditures and balance for the Cooperative Agreement funding within the following areas:
Administration/Management, Training, Equipment, and Maintenance/Storage.
 - c. Performance Narrative and Funds Report (FEMA Form 089-11) shall be used.
 - d. Completed Performance Report shall be uploaded into the NDGrants System, or as otherwise directed.
 - e. All changes, whether requiring prior approval or not, shall be noted in the Performance Fund Reports and closeout documents.
 - f. The Final Performance Reports shall be included in the completed closeout package and emailed to the US&R Branch and DHS/FEMA Grant Programs Directorate, unless otherwise directed.

4. The Federal Financial Report (FFR) SF-425, also referred to as the quarterly financial report, is due within 30 days after each quarter ends. Each task force will complete and submit a quarterly SF-425 through the Payment and Reporting System (PARS). Future awards and fund draw downs may be withheld if these reports are delinquent. The quarters are separated as follows: October through December, January through March, April through June, and July through September.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

5. **Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accountability Office, *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2012 Cooperative Agreement assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

B. CLOSEOUT REPORTS

The scope of work approved for the Cooperative Agreement must be completed within the Period of Performance. The task force will have 90 days after the Period of Performance to complete the final payments, and prepare the closeout documents. If unable to complete the closeout process by the due date, the task force must contact the Grant Programs Directorate and US&R Branch to request an extension of the closeout period. At a minimum the following closeout documents must be submitted:

1. **Cover Letter** – Should address the closeout of the Cooperative Agreement and the number. Please note any items that are not applicable. If the equipment and/or supplies are maintained by the task force then they will need to include a statement that the equipment/supplies will be used for their intended purpose of the Cooperative Agreement, over the life cycle of the equipment/supplies.

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2. **Final Performance Report** should include a summary of qualitative accomplishments that the Cooperative Agreement has made for the duration of the grant period. Quantitative data may be used to support any impact statements. The report should be broken out into the four (4) program categories: Administrative/Management, Training, Equipment, and Storage/Maintenance.
3. **Final Federal Financial Report (FFR):** A standard government-wide FFR (SF-425) is now required, in lieu of the FF20-10 or SF 269A (Short Form).
4. **Equipment Inventory:** This form is required if items purchased with federal grant funds has a current fair market value of \$5,000 or higher, per single item must be reported (copy of form attached). If the task force does not have any items to report that meet the threshold, provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate the same information. Provide a statement expressing the intent to continue use of **federally- furnished Property for the National US&R Response System, as noted in the most recent equipment CD submission.**
5. **Inventory of Unused or Residual Supplies** purchased with federal grant funds, which in the aggregate exceed \$5,000 must be reported (copy of form attached). If the task force does not have any residual supplies in the aggregate that exceeds \$5,000, provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate the same information.
6. **Patent/Invention Disclosure:** Provide a copy of the completed form if applicable. If the Task Force does not have any patents or inventions provide a copy of the form noting such or provide a statement in the Performance Report or Cover Letter to indicate such.
7. **Audit Requirements:** There are requirements and rights for audits pursuant to the Cooperative Agreement terms and conditions. All grantees must follow the audit requirements of OMB circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. The OMB Circular states that grantees who expend \$500,000 or more in federal funds (from all federal sources within their fiscal year) must have a single audit performed yearly in accordance with the circular. **If the task force falls under this category they must submit a copy of their Single Audit Report along with their Closeout Documentation.** In addition it is a requirement to send a copy of the Audit to the Single Audit Clearinghouse. The Single Audit Report is required to be reviewed during the closeout process. FEMA retains the right to negotiate any shortages or findings found in the audit reports, disallow costs and recover funds on the basis of an A-133 single audit, other audit or other review.
8. **Refund Checks:** If appropriate, a check should be made payable to FEMA to return any federal funds drawn under the Cooperative Agreement but not expended. This may also include interest earned in excess of the allowable \$100 for state, local, and Indian Tribal Governments, or \$250 for all others that are

allowable for administrative expenses, or any other appropriate financial adjustment due FEMA, including Audit adjustments.

9. **Record Keeping/Retention:** Retain records pursuant to the grant conditions. Grant records should include a copy of the award document, grant agreement articles, ledgers, documentation of expenditures, documentation-copies of cancelled checks, paid invoices, payrolls, T & A records, contract records, etc. As a reminder all Single Audits must be completed covering the period of performance for the grant and all Single Audit Findings must be resolved prior to the final closeout of the Cooperative Agreement. Upon completion of all required actions, the submission of all required items, and any appropriate financial adjustments and payments, FEMA will advise the task force in writing when the award can be considered closed out. This information must be kept for three years after the date of submission of the final closeout documents or later date if the sponsoring agency requires a longer record retention period. See 44 CFR 13 and 2 CFR 215 for further information about the items in this paragraph. It is generally three years from the submittal of the final closeout documents, but may be longer if there are audit findings or the audit covering the period of performance for the Cooperative Agreement has not been completed.

C. TIMELINES

1. **Task Force Self-Evaluation:** on or about September 10th, or as directed by the US&R Branch (Task forces shall return the forms 45 days after receipt from the US&R Branch)
2. **Personnel and Equipment Database CD:** due June 1st to US&R Branch *only*.
4. The **Semi-Annual Performance Report:** due by January 30th and July 30th each year during the Period of Performance.
5. The **Quarterly Federal Financial Report (FFR) – SF-425**, due within 30 days after the end of each quarter: January 30th, April 30th, July 30th, October 30th.
6. **Final Performance Report:** due to DHS/FEMA within 90 days after the Period of Performance expires.
7. The **Final Federal Financial Report (FFR), SF-425**, due within 90 days after the Period of Performance expires.
8. **Equipment Inventory and Inventory of Unused or Residual Supplies** due within 90 days after the Period of Performance expires.
9. **Final Payment/Unexpended Funds:** due within 90 days after the Period of Performance expires.

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Task forces must be current with all reports at the time of award of this Cooperative Agreement.

X. TIME IS OF THE ESSENCE

DHS/FEMA is providing an annual **Readiness Cooperative Agreement** and it is strongly recommended that the Sponsoring Agency seek expedited approval for the acceptance and management of the Cooperative Agreement. The US&R Branch and Grant Programs Directorate acknowledge the time-sensitive nature of processing and awarding the Cooperative Agreement and will make every effort to expedite the process. The time frame provided by DHS/FEMA must be strictly adhered to. The U.S. Congress is closely scrutinizing the timely spending of Readiness Cooperative Agreement funds and failure to meet necessary requirements and time frames may result in the loss of funding for this and future Cooperative Agreement periods.

XI. PROCEDURE TO COMPLETE APPROVAL OF COOPERATIVE AGREEMENT

1. DHS makes all funding opportunities available through the common electronic "storefront" grants.gov, accessible on the Internet at <http://www.grants.gov>. If you experience difficulties accessing information or have any questions please call the grants.gov customer support hotline at (800) 518-4726.
2. Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select "Download Application Package," and then follow the prompts to download the application package. To download the instructions, go to "Download Application Package" and select "Instructions."
3. Additional information pertaining to funding will be provided in an email to the designated Task Force Representatives in each of the 28 US&R Task Forces. The information provided will assist each task force when completing their application package.
4. The initial submission in Grants.gov will be routed to the NDGrants System, where it will be reviewed for eligibility. Only the 28 task forces within the National US&R Response System are eligible to apply for this Cooperative Agreement.
5. Once it is determine that an applicant is eligible, an invitation to submit a complete application will be sent through NDGrants. The applicant will then upload complete application, as required.
6. The US&R Branch and Grant Programs Directorate will review each application in the NDGrants System. If there are any questions or requirements for clarification, either a member of the US&R Branch staff or Grant Programs Directorate will work with the task force point of contact to obtain a revised application.
7. Once approved and routed to the appropriate entities within the Agency, an award will be issued through the NDGrants System. The task force will then review and accept the award to complete the process.

The US&R Branch will ensure all necessary documentation is provided to all eligible task forces:

- B** US&R Budget Narrative Template (FEMA Form 089-10)
- C** Cooperative Agreement Funding – Recommended Allocations
- D** Task Force Allocations and Budget Totals
- E** Administration Budget
- F** CBRNE/HEPP Budget (specific allocations)
- G** List of US&R System Operations Work Group and Strategic Group Members
- H** Summarized Spreadsheet of Deliverables
- I** US&R Activity Calendar, June 2012 – August 2012 – September 2013