

July 20, 2010

LOS ANGELES FIRE DEPARTMENT



MILLAGE PEAKS
FIRE CHIEF

July 8, 2010

BOARD OF FIRE COMMISSIONERS
FILE NO. 10-068

TO: Board of Fire Commissioners

FROM: Millage Peaks, Fire Chief *Millage Peaks*

SUBJECT: **2008 COOPERATIVE AGREEMENT EXTENSION REQUEST - FEMA URBAN SEARCH AND RESCUE TASK FORCE, COUNCIL FILE 08-2490**

FINAL ACTION:	<input 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 Withdrawn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

Recommendations: That the Board:

It is respectfully recommended 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 \$70,000 from Department 38, Fund 100, Account 1012 (Salaries, Sworn) to Department 38, Fund 335, Account 008R, to support the necessary expense and purchase of equipment items that will be reimbursed by the Federal Emergency Management Agency (FEMA) grant.
3. Authorize the Fire Chief, or his designee, to deposit the FEMA grant funds received under this cooperative agreement into Fund 335 (Fire Department Grants), Department 38.
4. Authorize the Controller to transfer FEMA grant funds, from Fund 335/38 to Fund 100/38, Accounts 1010 (General Salaries), 1012 (Sworn Salaries), and 1098 (Overtime Variable Staffing) based on the Los Angeles Fire Department 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 August 31, 2011.

5. Authorize the Controller to transfer the uncommitted balance of advanced funds as of June 1, 2011 from Department 38, Fund 335, Appropriation Account 008R to Department 38, Fund 100, Account 1012 (Sworn Salaries) to meet payroll needs.

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, CA-TF 1. Through the MOA, FEMA supports CA-TF 1 annually using a Cooperative Agreement (Agreement) to fund the program. The Agreement supports an equipment cache, CA-TF 1 member training and fulltime personnel to manage the cache and administrate the US&R program.

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's accounts. The Agreement does not require a cost-share by either the Department or City.

On December 9, 2009, the City Council approved the 2008 Cooperative Agreement (EMW-2008-CA-0507) for the period May 1, 2008 through August 31, 2009. FEMA has extended the Agreement until August 31, 2011.

Fiscal Impact

The 2008 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 to maintain and enhance CA-TF 1's readiness. The report recommendations are necessary to ensure the 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 \$1,043,679 of which \$70,000 remains available for expense and equipment.

Board report prepared by Jack Wise, Battalion Chief, Program Director, CATF1, Emergency Services Bureau.

Attachment



FEMA

National Urban Search and Rescue Response System US&R Task Force FY 2008 Readiness Cooperative Agreement

STATEMENT OF WORK

I. PURPOSE

The purpose of this **Readiness Cooperative Agreement** is to continue the development and maintenance of National Urban Search and Rescue (US&R) Response System resources to be prepared for mission response and to provide qualified personnel in support of Emergency Support Function-9 (ESF-9) activities under the National Incident Management System (NIMS) and the National Response Framework (NRF).

Specifically, this agreement provides a mechanism for distribution of Cooperative Agreement funding for certain purposes in preparation for US&R disaster response, including response to incidents involving weapons of mass destruction (WMD), National Special Security Events (NSSE) or other designated disasters or emergencies. Funds are made available to accomplish the accompanying objectives. This Cooperative Agreement allows each 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.

The U. S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) maintains a high level of accountability and provides support and funding to maintain the readiness of the National US&R Response System. US&R Task Force Sponsoring Agencies are directed to use the funding to meet the following objectives: provide administrative and program management, training, support, equipment cache preparedness, 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. It is designed to search for and rescue victims entrapped in collapsed structures, including large steel or heavy reinforced concrete construction. 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, 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.

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 Federal Response Framework (NRF).

DHS/FEMA has 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.

III. DHS/FEMA OBJECTIVES

1. Provide funding to US&R Sponsoring Agencies to manage and administer Task Force affairs and activities in accordance with accepted standard business practices.
2. Provide funding to train Task Force members and other National US&R Response System personnel to perform assigned US&R duties in accordance with established FEMA/US&R approved standards and guidance.
3. Provide funding to equip the Task Force in accordance with the US&R Equipment Cache List as approved by the FEMA US&R Program Office and when requested, perform US&R mission assignments.
4. Provide funding for lease of space to provide office space, training facilities and/or storage of vehicles and equipment, as needed.
5. Based on available funding, continue readiness and standby activities to respond to any mobilization request, for example: NSSE.

IV. APPROVALS

Advance approval must be obtained in writing from both the US&R Program Office 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;
- Requests for extension of the period of performance for the Cooperative Agreement
- Requests for budget changes that result in an amendment/modification to the Cooperative Agreement

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 Program Office, FEMA Grants Office and FEMA International Affairs prior to the 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 Program Office, 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 standard award conditions (if any), the terms and conditions of the Sponsoring Agency's Memorandum of Agreement with FEMA, the terms and conditions of this cooperative agreement, applicable agency policies, and US&R Program Directives.

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 2008 Cooperative Agreements basic total for each Task Force is \$1,000,179. Additional funds are allocated to specific Task Forces as outlined in Appendix A and B of this document.

The US&R Program Office recommends allocations of \$362,679 for Task Force program staffing, management and administration, \$50,000 for medical screening, \$160,000 for training, \$131,000 for travel, \$196,500 for equipment acquisition (which includes \$130,000 for WMD equipment) and \$100,000 for maintenance and storage. The totals are subject to adjustment, with the following exceptions:

- Up to \$90,000 of the \$130,000 specified for WMD equipment can be utilized to resupply/upgrade the cache to the FEMA/US&R original 2001 WMD capability level.
- Any remaining funds below this \$90,000 threshold, as well as the balance of funds between \$90,000 and \$130,000 must be specifically reserved for the purpose of resupply/upgrade for WMD equipment only. New WMD technology/equipment priorities and standards are being finalized within the US&R System. The remaining funds described above can be budgeted for new WMD equipment that will upgrade the US&R System's WMD capability to 2008 standards once those items are formally approved and added to the 2008 US&R Equipment Cache List.

The totals are subject to adjustment, with the exception of \$130,000 to be used exclusively for WMD re-supply/upgrade, based on Tasks Forces' needs; within this statement of work.

Additional funds are provided to specific Task Forces in the amount of \$40,000 each for the National Task Force Leader Representative and Operations Group Chair, \$8,000 for each Work Group or Subgroup Chairperson and \$8,000 for each of the three Division Task Force Leader Representatives, as identified in **Attachments B and C**).

Funds to maintain the IST medical kits are provided to specific Task Forces whose members are rostered as Technical Specialists – Medical (and Deputy) on primary Red, White and Blue Incident Support Teams and alternates, in the amount of \$750 per medical kit.

Task Forces hosting the Task Force Leaders' Meeting and/or the US&R Conference will receive additional funding to cover hotel contract and meeting room expenses (see Attachment B).

The allocation of Canine Evaluation funding is provided in FY 2008 in the amount of \$30,000 to specific Task Forces as identified in **Attachment B**.

Each Task Force can apply for up to the amount allocated to their agency as shown in Attachment A. All Sponsoring Agencies must submit supporting documentation with each application.

The Period of Performance for the FY 2008 Readiness Cooperative Agreement funding is sixteen (16) months and is specifically identified in your Agreement Articles. 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 16 month performance period is available for internal acceptance of funds and procurement of equipment and supplies.

VII. DHS/FEMA/US&R PROGRAM OFFICE 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. Establish and disseminate policy for the National US&R Response System based on input from the 44 CFR 208 and the US&R Advisory Committee.
3. Approve and implement the policy, criteria and procedure for Task Force evaluations.
4. Determine annual funding levels for readiness activities.
5. When funding is available, purchase equipment for and deliver to US&R Task Forces.
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 Program Office.

7. Approve in writing, in conjunction with the Grants Assistance Officer, any cost deviations from those outlined in this agreement or from other DHS/FEMA established policies.
8. Assist with the coordination of the US&R Advisory Committee, Task Force Leaders and Work Group meetings and facilitate the use of Subject Matter Experts and Task Force personnel to develop policies, procedures and US&R System documents.
9. Based on available funding, conduct a readiness evaluation process to include annual Task Force self-evaluations and periodic on-site peer Operational Readiness Evaluations (OREs). The Program Office will distribute annual Task Force self-evaluation survey on or about March 1st.

VIII. SPONSORING AGENCY RESPONSIBILITY AND REQUIREMENTS

Under this Readiness Cooperative Agreement, the Sponsoring Agency may use funding to prepare the Task Forces under the following categories:

A. ADMINISTRATION AND MANAGEMENT

1. Provide sufficient staff for management and administration of the US&R Task Force day-to-day activities to accomplish required supervisory, administrative, training and logistical duties. Specifically: program management; grants management; financial management; administrative support; training coordination and instruction; logistics management and property accountability. This shall include, but is not limited to, funding personnel salaries and expenses relating to Task Force development and management; record-keeping, inventory and maintenance of the US&R Equipment Caches; correspondence with Task Force members and parties who support Task Force activities; along with similar management and administrative tasks.
2. Purchase of office furniture and equipment specifically for administrative purposes are allowable under this Cooperative Agreement. This shall include, but is not limited to, laptops and desktop computers, cellular telephones/wireless PDAs, printers, scanners, and copy machines, desks, book shelves, etc.
3. Recruit, train and maintain a roster of personnel to enable complete staffing of a Type I or Type III Task Force. Unless approved by the Program Office, these positions shall be staffed from within the respective Task Force organization. **The current staffing level shall be a maximum 210 rostered, to include a minimum of 140 deployable personnel, with up to 10% staffing overage allowable to address individual Task Force needs (e.g., attrition, IST members).**
4. Ensure credentials are current for US&R medical personnel. Please refer to US&R Program Directive 2005-017, or current directive, for guidance.
5. Based on available funding, the US&R Program Office may 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 Program Office 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.

6. Based on approval by the US&R Program Office and available funding, Task Forces can use funds to cover salary and travel for product research and development efforts, thereby keeping apprised of cutting edge technology for equipment used within the System.
7. In addition, Task Forces may use funds to cover salary and travel for the purpose of Task Force Personnel to collaborate with a Federal, State US&R system asset(s) or other emergency responders to enhance the capabilities of the US&R system.
8. Ensure each Task Force is prepared for ongoing Operational Readiness Evaluations (OREs) and completes an internal self-evaluation operational readiness and preparedness survey in accordance with US&R specifications. The self-evaluation is an annual requirement. The requirement is for only one per calendar year. The Task Forces will complete a self-evaluation survey, provided by the US&R Program Office. The completed electronic copy of the self-evaluation shall be submitted to the US&R Section Chief by June 1 (or when otherwise directed by the US&R Program Office).
9. Following an on-site peer Operational Readiness Evaluation (ORE), Task Forces shall establish a written corrective action plan which specifies dated milestones and associated costs (if applicable) to correct deficiencies identified in the ORE report. This plan must be submitted to the Program Office no more than 60 days after the ORE report is issued.
10. By June 1st, submit to DHS/FEMA the following items on one compact disk (CD):
 - a. A current database of Task Force Personnel, in a format provided by the Program Office
 - b. A current US&R Task Force Equipment cache databases in a Microsoft Access database format. These databases shall include both caches.
 - c. A current Task Force Deployment Data Form, in a format provided by the Program Office
11. On a monthly basis, continue to assess operational, logistic, management readiness and update readiness scores in the *Homeland Security Information Network (HSIN)* system. <https://government.hsin.gov/>.
12. When authorized by the US&R Program Office, ensure funds are properly allocated and accounted for those Task Force members who serve as Work Group Chairs, Sub-Group Chairs and Task Force Leader representatives. These funds are intended to defray personnel salary, backfill and administrative costs associated with these positions for assigned Task Forces in accordance with **Attachments B and C**.

13. Ensure timely reporting of expenditures for readiness activities carried out under this agreement and timely delivery of Cooperative Agreement reporting. Refer Section VIII, Reporting.
14. 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 are to be kept in accordance with OMB Circulars A-102 or A-110, 44 CFR Part 13 and 2 CFR Part 215.**
15. NIMS compliance as required by the Department of Homeland Security policy: Compliance with the National Incident Management System (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 must be located in each US&R task force member's personnel file for each required course. The following independent study courses are required for all task force members: IS-100, IS-200, IS-700 and IS-800. 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>.
16. Attend DHS/FEMA-sponsored or DHS/FEMA-approved US&R meetings, conferences, and training sessions, to include Task Force Leader meetings, the 12 standing US&R Work Groups, Operations Group, Ad Hoc Work Groups and Sub-Groups, Incident Support Team (IST) training/meetings, workshops, or others as directed by the US&R Program Office as they relate to the National US&R Response System. Other activities include on-site peer Operational Readiness Evaluation (ORE) of other Task Forces, quality assurance oversight of FEMA-sanctioned training courses, training with other Task Forces, grants management training, and research and development for equipment, as directed by the US&R Program Office. The US&R Program Office is allocating certain funds as identified in Section V, (Cooperative Agreement Funding) for travel. All travel funds should be accounted for under Management and Administration and/or Training at the Task Force level.
17. With the identified Medical Screening subcategory amount of \$50,000, provide complete medical evaluations and immunizations to as many Task Force members as possible (as defined by the US&R Medical Work Group). Medical screening should be conducted on a biannual basis for each Task Force member. The medical evaluation shall become part of their personal medical record. Please refer to US&R Program Directive 2005-008, Task Force Medical Screening or a more current directive issued by the US&R Program Office.

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 (refer to US&R Program Directive 2006-021) or the US&R Program Office.
2. As funding permits, conduct at least one Task Force mobilization or deployment exercise each Cooperative Agreement period of performance. Task Forces are encouraged to exercise as many Task Force members as possible each calendar year per cooperative agreement. A Type I or Type III Federal Task Force deployment during the period of performance would satisfy this requirement, as long as the Activation Order is filed with the Cooperative Agreement. 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 their Semi-Annual Performance Report. A budget change is only required when funds are moved to another program budget category.
3. File an after-action report within 90 days of the completion of a deployment drill/exercise or a training activity with duration of more than 36 hours. Send the report to the attention of the Operations Unit Leader, US&R Program Office and written in a format where lessons learned may be shared with other task forces in the US&R Response System.
4. Ensure training and exercise activities of the Task Force meet US&R specifications, requirements and certifications. Ensure training records for all Task Force personnel are kept in a central location.
5. Provide funding for expenses related to the acquisition, maintenance, training and certification of US&R search canines and handlers. This clause is not related to the funding provided to host Canine Evaluations.
6. When authorized, ensure funds are distributed in support of Task Forces hosting a Canine Evaluation, as stated in accordance with Canine Evaluation schedules identified in **Attachment B**. 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 VII, A, Item 13, include items and their cost in their Semi-Annual Performance Report submission.

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". 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. Personnel attending this training shall take a minimum of four (4) courses or they may complete the Certificate Program. The Grants Assistance Officer may be contacted for further information on classes offered. Examples of some Grants Management courses offered are as follows:

- 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, 225 and 230 (OMB Circulars A-21, A-122, and A-87), 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.
8. Provide Microsoft (MS) Access database and MS Excel training, as needed to US&R Logistics and Program Management personnel maintaining personnel and equipment accountability records. Task Force Managers are authorized to use readiness funding to provide “beginner”, “intermediate” and “advanced” MS Access Database and MS Excel training to key task force personnel.

C. EQUIPMENT

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 and cost caps as listed on the cache list. Task Forces 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 Program Office.

2. When funding is provided, ensure that funds are made available to purchase and maintain medical response kits for the Incident Support Team Medical Unit Leaders assigned to the Task Force. Specific Task Forces identified in **Attachment B**, are provided funds in the amount of \$750 for maintenance of assigned IST Medical Caches. The funding for the IST Medical Cache is to provide for replacement of equipment or pharmaceuticals as recommended by the IST Medical Unit Leader. Cooperative Agreement regulations apply to these funds and shall not be transferred to a Participating Agency.
3. **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.

4. **No rolling or floating transportation equipment is authorized for purchase as part of this Cooperative Agreement unless authorized by the US&R Section Chief and Grants Assistance Officer in writing.**
5. Equipment and prime mover vehicles purchased with Federal funds or provided by DHS/FEMA shall be for the use of the US&R Program and **shall not be used for normal day-to-day operations of the Sponsoring or Participating Agency.** 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 **exceptional** circumstance. The Operations Unit Leader 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 Program and return to an immediate state of readiness.
6. **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 US&R Program.
7. Title for the original cache, vehicles, and all equipment purchased under the Cooperative Agreements reside with the Task Forces (44 CFR Part 13). Title to the new DHS (i.e., "Second Cache") purchased Equipment Cache resides with DHS/FEMA. 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 Program Office and Grants Assistance Officer according to current Federal regulations (FEMA Manual 6150.1, dated July 1996, or current edition at time of disposition). Remaining funds from any approved sale of equipment or vehicles would be returned to DHS/FEMA, since FEMA furnished 100% of the funding through the Cooperative Agreements.
8. The U.S. Department of Homeland Security has established a specific vehicle marking policy and all departments of the agency must adhere to this standard. This requirement includes vehicles purchased with Cooperative Agreement funds and used for US&R disaster response. The US&R Program Office will supply the DHS/FEMA logos to the task forces according to the DHS vehicle logo and striping policy. However, the task forces will be required to apply the striping requirement according to specifications provided by the US&R Program Office and will use Cooperative Agreement funding to address this requirement as directed. **At this time, no other decals, lettering or other markings are permitted to be applied to designated US&R response vehicles unless directed by the US&R Program Office, or required by local, State, and/or Federal law/policies.**
9. For the purpose of accountability and safety, US&R Task Forces are 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 Program Office Section Chief. Conduct an inventory of 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 US&R field response, or was acquired with DHS/FEMA approval through the Federal Excess Property Program. Ensure a minimum of 90% of the original US&R equipment cache and 100% of the new DHS/FEMA equipment cache is maintained. Task Forces are expected to perform routine maintenance of equipment to maintain a state of readiness. This agreement excludes Task Force repair of Communications equipment owned by the Federal Government.
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 the budget narrative or submitted as a budget change and be approved by the Program Office 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 repair, maintenance, and storage as well as all related insurance and administrative costs of all equipment either purchased or provided by DHS/FEMA will be accomplished via Cooperative Agreement funding provided and in accordance with the cost principles (2 CFR, Part 225).

IX. REPORTING

The Sponsoring Agency shall use the following procedure for reporting. There are several types of reports required for this agreement: (See Sub-heading VIII, Section C for the mailing address)

A. REQUIREMENTS

1. **Task Force Self-Evaluation:** as identified in Section VII, Subsections A.7 of this document is due by June 1st (or when otherwise directed by the US&R Program Office).
2. **Personnel and Equipment Database CD submittal:** as identified in Section VII, Subsections A. 8 and D. 1. Provide DHS/FEMA with an updated database of your Task Force Personnel and the US&R Equipment Cache in a Microsoft Access database program. Also provide a current Task Force Deployment Data Form, in a format provided by the Program Office. Copy your files onto **one** CD and forward the disk to the US&R Program Office by overnight carrier. This CD shall be submitted with a cover letter addressed to the US&R Program Office Section Chief by June 1st.
3. The Department of Health and Human Services (HHS) requires a **Quarterly Financial Report** electronically, PSC 272, before issuance of any further funding through SmartLink will be allowed. This report must be completed on-line at the SmartLink website, <http://www.dpm.psc.gov>. After completing the report online, a copy of the PSC 272, PSC 272A, PSC 272B, PSC 272E and PSC 272G (listing financial details) must be printed, scanned, and emailed as a .PDF document to the US&R Program Office and DHS/FEMA Grant Programs Directorate. This report is required every quarter, thirty (30) days after the end of each quarter, whether funds are drawn or not from the Health and Human Services (HHS) Smartlink System. The quarters are separated as follows: October through December, January through March, April through June, and July through September.
4. 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 listing total expenditures, as explained below. The Sponsoring Agency shall electronically send the first report semi-annually by January 31st (covering the time period of July 1st through December 31st) and the second by July 31st (covering the time period of January 1st through June 30th) of each year until the Cooperative Agreement is closed. The **Performance Report** shall include your accomplishments and the total budgeted, expenditures and balance for the Cooperative Agreement funding within the following areas: Administration/Management, Training, Equipment, and Maintenance/Storage. A suggested reporting format has been distributed. All changes, whether requiring prior approval or not, shall be noted in the Performance Reports and closeout documents. The Final Performance Reports are to be emailed to the US&R Program Office and DHS/FEMA Grants Management Branch. Addresses listed in Article VIII, Section C.
5. **Monthly Operational Readiness Assessment:** Assess operational, logistical and management readiness and updates readiness scores in the HSIN system. <https://government.hsin.gov/>.

B. CLOSEOUT REPORTS

The scope of work approved for your grant must be completed within the prescribed Period of Performance, you have 90 days after the Period of Performance to complete the final payments, and prepare the closeout documents. If you are not able to complete the closeout process by the due date, you must contact the Grants Assistance Officer and request an extension of the closeout period. At a minimum, your agency must submit the following closeout documents:

1. **A Final Performance Report must be submitted to close out the Cooperative Agreement.** The Final Performance Report is due to DHS/FEMA within 90 days after the expiration of the performance period. The final report will consolidate and summarize all prior reports. Email an electronic copy to the Grants Assistance Officer and US&R Program Office and send a paper copy by mail to the Grants Management Branch address as listed in Article VIII, Section C.
2. **The Final Financial Status Report shall be provided on a FF 20-10 and delivered within 90 days after the end of the Cooperative Agreement's Period of Performance.** Cooperative Agreement funds shall be maintained in an account or in such a way, as use of funds are clearly identified. If funds are kept in an interest bearing account, any interest earned is the property of the Federal Government and shall be identified on the FEMA Form 20-10 and noted in Box #12, Remarks. Ensure any interest earned over \$100.00 for local and state agencies (44 CFR, Part 13/OMB Circular A-102) and \$250.00 for institutes of higher education, hospitals and other non-profits (OMB Circular A-110, Subpart C, Section 22(k)/2 CFR 215) are reported and a check is forwarded to DHS/FEMA for that amount at the end of the Cooperative Agreement period. A check for the earned interest, made out to DHS/FEMA, shall be attached to the Final Financial Status Report FF 20-10 and submitted only one time at the end of the Cooperative Agreement period. **The reimbursed interest shall not be paid out of Cooperative Agreement funds.** Email an electronic copy of the signed FF 20-10 to the Grants Assistance Officer and US&R Program Office and send a paper copy by mail to the Grants Management Branch address listed in Article VIII, Section C.
3. **Final Payment and Unexpended Funds:** Within 90 days from expiration of the Period of Performance, the grantee shall pay all unliquidated obligations to FEMA and shall report unexpended funds to the Grants Assistance Officer. The Grants Assistance Officer will process the unobligation of unexpended funds.
4. Provide an **Equipment Inventory** of items purchased with Federal grant funds where each piece of equipment has a current fair market value of \$5,000 or higher, in accordance with 44 CFR, Part 13 and 2 CFR, Part 215.
5. Provide an **Inventory of unused or residual supplies** purchased with Federal grant funds, which in the aggregate exceed \$5,000 or written statement that such supplies (if any) do not exceed \$5,000. If not applicable, please indicate a written statement in your Performance Report.
6. If equipment and/or supplies procured under this Cooperative Agreement are maintained by the Task Force, then the Task Force shall submit a letter that states the

equipment/supplies are being used for their intended purpose of the grant, over the life cycle of the equipment/supplies.

7. The Task Force is required to retain records pursuant to the grant conditions, which should include a copy of the award document, request for application, grant agreement articles, ledgers, documentation of expenditures, documentation-copies of cancelled checks, paid invoices, payrolls, T&A records, contract records, etc, including closeout documents prepared. This information must be kept for *three years after the date of the final closeout letter*.

C. TIMELINES

1. **Task Force Self-Evaluation:** as directed by the US&R Program Office.
2. **Personnel and Equipment Database CD:** due June 1st to US&R Program Office *only*.
3. **Quarterly Financial Report (HHS PSC report):** delivered quarterly, within 30 days after the quarter ends. (Due by January 31, April 30, July 31 and October 31)
4. **The Semi-Annual Performance Report:** due by January 31 and July 31 each year during the Period of Performance.
5. **Final Performance Report:** due to DHS/FEMA within 90 days after the Period of Performance expires.
6. **The Final Financial Status Report, FEMA Form 20-10,** due within 90 days after the Period of Performance expires.
7. **Equipment Inventory and Inventory of Unused or Residual Supplies** due within 90 days after the Period of Performance expires.
8. **Final Payment/Unexpended Funds:** due within 90 days after the Period of Performance expires.

Personnel and Equipment Database CDs and any paper copies the Task Force wishes to submit (in addition to email) should be sent via overnight carrier to the following addresses:

U.S. Department of Homeland Security
Federal Emergency Management Agency
Grants Programs Directorate
Attn: Sylvia Carroll/Rayna Bal
500 C Street, S.W.
Room 411 – Tech World
Washington, D.C. 20472
(202) 786-9483 Telephone
(202) 786-9905 Fax
Sylvia.Carroll@dhs.gov
Rayna.Bal@dhs.gov

U.S. Department of Homeland Security

Federal Emergency Management Agency
US&R Program Office, DO-FO-SR
Attn: Catherine Deel
500 C Street, SW, Room 250
Washington, DC 20472
(202) 646-3796 Telephone
(202) 646-4684 Fax
Catherine.Deel@dhs.gov

(Where required, documents are to be e-mailed as .PDF files and Word Documents to Sylvia Carroll and simultaneously copied to Catherine Deel at the respective email addresses above. Also email Rayna Bal (Rayna.Bal@dhs.gov)).

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

Performance and Financial Status reports are no longer required to be sent to the Regional US&R point of contact unless requested in writing from the Regional Office. Any request for reports from the FEMA Regional Offices is approved and requests shall be made directly to the affected Task Force from the Regional US&R point of contact.

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 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. The US&R Program Office and Grants Management Branch will review the Task Force's Cooperative Agreement application. Once approved, the Grants Assistance Officer will send four copies of the obligating document, FEMA Form 40-21s, to your agency for signature. (Four originals)
2. Your agency is required to obtain the proper original signature on each document and return three signed FF 40-21 documents to the Grants Management Branch as instructed. Keep one signed original for your records. Include a cover letter in an acceptable format when returning the FF 40-21.
3. Your agency is responsible for ensuring the original application package and your subsequent FF 40-21 are received by the Grants Management Branch deadlines. Please use the tracking number provided by your overnight carrier to ensure timely delivery.

- Attachments:**
- A** Task Force Allocations and Budget Totals document
 - B** Administration Budget
 - C** List of Work Group Chairs
 - D** Summarized Spreadsheet of Deliverables
 - E** US&R Annual Activity Calendar 2008