

LOS ANGELES FIRE DEPARTMENT



JAMES G. FEATHERSTONE
INTERIM FIRE CHIEF

January 9, 2014

BOARD OF FIRE COMMISSIONERS
FILE NO. 14-010

TO: Board of Fire Commissioners

FROM: James G. Featherstone, Interim Fire Chief

SUBJECT: ACCEPTANCE OF GRANT FUNDS FOR THE FY2013 PORT SECURITY
GRANT PROGRAM

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 Withdrawn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

SUMMARY

On June 21, 2013, the Los Angeles Fire Department (LAFD) submitted an application for the FY2013 Port Security Grant Program (PSGP) to the Department of Homeland Security, Federal Emergency Management Agency (FEMA). The purpose of the PSGP is to strengthen the nation's critical infrastructure against risks associated with potential terrorist attacks and enhance the response within the jurisdiction. On November 6, 2013, the LAFD received a grant award of \$807,285 (see Attachment). The performance period for the FY2013 PSGP is September 1, 2013 through August 31, 2015.

The FY2013 PSGP provides the LAFD an opportunity to build upon prior participation in the Port Security Grant Program (BFC 12-131; C.F. 10-1955-S1; BFC 13-093; C.F. 13-1302). It also leverages the training and equipment obtained under other grant programs, such as the Urban Area Security Initiative and the State Homeland Security.

The primary activity supported by this investment involves sustainment of Chemical, Biological, Nuclear, Radiological and Explosives (CBRNE) response capabilities and improved Marine Response activities. The training of LAFD first responders in these areas enhances their capabilities and effectiveness in response to incidents in the Port of Los Angeles area. These grant funds also ensure that effective LAFD responses will result in quicker recovery of the Port of Los Angeles to normal operations.

The FY2013 PSGP is a 75% reimbursement grant, with a 25% cost match provided by the grant recipient. The total amount of the grant award is \$807,285, of which \$605,464 will be funded by the Federal government and \$201,821 by the City General Fund. The LAFD has sufficient funds within its FY2013-14 Operating Expenses Account to meet the current fiscal year cost match requirement of \$32,975 to purchase response equipment. The cost match of \$168,846 to be expended next fiscal year for training will be absorbed within the LAFD FY2014-15 budget. A breakdown of costs by fiscal year is shown below.

FY2013 PSGP Fiscal Impact Cost Breakdown of Category by Fiscal Year

Category by Fiscal Year	Federal Share	LAFD's Cost Share	Totals
FY2013-14	\$98,925	\$32,975	\$131,900
CBRNE Training	\$ -	\$ -	\$ -
Marine Response Training	\$ -	\$ -	\$ -
Marine Response Equipment	\$98,925	\$32,975	\$131,900
FY2014-15	\$506,539	\$168,846	\$675,385
CBRNE Training	\$219,375	\$73,125	\$292,500
Marine Response Training	\$287,164	\$95,721	\$382,885
Marine Response Equipment	\$ -	\$ -	\$ -
Totals	\$605,464	\$201,821	\$807,285

The PSGP requires that funds be reimbursed after the actual payment of expenditures is made, and that appropriate documentation supporting these expenditures is submitted. As the LAFD incurs expenses from this program, expenditures will be reimbursed by FEMA on an ongoing basis.

RECOMMENDATIONS

That the Board:

1. Forward this report to the Mayor and the Office of the City Administrative Officer (CAO) for further processing and to the City Council for consideration.
2. Authorize the Fire Chief to accept the Federal Emergency Management Agency award of FY2013 PSGP grant funds in the amount of \$807,285 for the term of September 1, 2013 through August 31, 2015.
3. Authorize the LAFD to expend up to the amount of \$807,285 in accordance with the grant award agreement, of which up to \$675,385 will be spent from various salary accounts to cover backfill and overtime costs; and up to \$131,900 for supplies, equipment, travel and tuition to be fully reimbursed by this grant.

4. Authorize the Controller to transfer up to \$131,900 from Department 38, Fund 100, Account 006020 (Operating Expenses) to Department 38, Fund 335, Account to be established, to support the necessary expense and purchase of equipment items, travel, and tuition that will be reimbursed by this grant.
5. Authorize the LAFD to deposit advance grant funds and/or reimbursements into Department 38, Fund 335, Account to be established.
6. Authorize the Controller to transfer grant funds reimbursed, from Department 38, Fund 335, Account to be established, to Department 38, Fund 100, various accounts, based on the LAFD's submissions to the CAO documenting actual costs incurred as part of the FY2013 PSGP, through the end of the grant term of August 31, 2015.
7. Authorize the Controller to transfer the uncommitted balance of advanced funds, as referenced in Recommendation No. 5, as of June 1, 2014, from Department 38, Fund 335, Account to be established, to Department 38, Fund 100, Account 006020.
8. Authorize the LAFD to prepare Controller's instructions for any technical adjustments, subject to the approval of the CAO, and authorize and instruct the Controller to implement the instructions.

FISCAL IMPACT

The FY2013 Port Security Grant Program is a 25% cost-share grant, with all funds expended from LAFD General Fund accounts in advance, and 75% of the total expenditures reimbursed to the LAFD by the Federal Emergency Management Agency. The LAFD has sufficient funds in its FY2013-14 Operating Expenses Account to cover the grant cost match of approximately \$33,000 for response equipment purchases, and will absorb, within the FY2014-15 budget the cost match of approximately \$169,000 for training.

Board report prepared by William Jones, Senior Management Analyst II, Administrative Services Bureau.

Attachment

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



William Jones
LOS ANGELES, CITY OF
200 N MAIN ST RM 1800
LOS ANGELES, CA 90012

Re: Grant No. EMW-2013-PU-00530

Dear William Jones:

Congratulations, on behalf of the Department of Homeland Security. Your grant application submitted under the FY 2013 Port Security Grant Program has been approved. The approved project costs amount to \$807,285.00 .

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your Grant award. Maintain a copy of these documents for your official file.

Before you request and receive any of the Federal Grant funds awarded to you, you must establish acceptance of the Grant and Grant Agreement Articles.

In order to establish acceptance of the Grant and Grant Agreement Articles, please follow these instructions:

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

Step 2: Please fill out and have your bank complete and sign the SF1199A, Direct Deposit Sign-up Form. The SF1199A should be sent directly from your financial institution to the FEMA Finance Center, via fax or mail to the Vendor Maintenance Office (see address below). The 1199A form will not be accepted unless it is received directly from the financial institution. Please pay careful attention to the instructions on the form.

FEMA Finance Center
Attn: Vendor Payments
P.O. Box 9001
Winchester, VA 22604
Fax Number: (540) 504-1857

System for Award Management (SAM): Please ensure that your organization's name, address, DUNS number and EIN are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all FEMA awards at <http://www.sam.gov>. Future payments will be contingent on the information provided in SAM; therefore it is imperative that the information is correct.

If you have any questions or concerns regarding the process to request your grant funds, please call 1-866-927-5646.

A handwritten signature in black ink, appearing to read "B. Kamoie".

BRIAN KAMOIE, GPD Assistant Administrator



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

AGREEMENT ARTICLES
Port Security Grant Program

GRANTEE: LOS ANGELES, CITY OF
PROGRAM: Port Security Grant Program
AGREEMENT NUMBER: EMW-2013-PU-00530-S01

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Article I - Summary Description of Project

Project 1: CBRNE Training - Strengthen Regional CBRNE Detection, Response, and Decontamination Capabilities is approved for funding in the amount of \$219,375

Project 2: MARINE RESPONSE TRAINING - Improve the preparedness, prevention, response and recovery capabilities is approved for funding in the amount of \$287,164

Project 3: MARINE RESPONSE EQUIPMENT - Improve the preparedness, prevention, response and recovery capabilities is approved for funding in the amount of \$98,924

Article II - Assurances, Administrative Requirements and Cost Principles

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

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

b. The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

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

Article III - Acknowledgement of Federal Funding from DHS

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

Article IV - Activities Conducted Abroad

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

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

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

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article VI - Copyright

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

Article VII - Debarment and Suspension

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

Article VIII - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 29 CFR 3001.

Article IX - Duplication of Benefits

State, Local and Tribal Recipients must comply with 29 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article X - False Claims Act and Program Fraud Civil Remedies

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

Article XI - Federal Debt Status

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

Article XII - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article XIII - Hotel and Motel Fire Safety Act of 1990

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

Article XIV - Lobbying Prohibitions

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

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article XV - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article XVI - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

- (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- (b) Procures a commercial sex act during the period of time that the award is in effect; or
- (c) Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article XVII - USA Patriot Act of 2001

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

Article XVIII - Use of DHS Seal, Logo and Flags

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

Article XIX - DHS Specific Acknowledgements and Assurances

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

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such

proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.

6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

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

Article XX - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Funding Opportunity Announcement.

Article XXI - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Obligating Document for Award/Amendment

1a. AGREEMENT NO.	2.	3. RECIPIENT NO.	4. TYPE OF ACTION AWARD	5. CONTROL NO.
EMW-2013-PU-00530-S01	AMENDMENT NO. ***	956000735		W503830N

6. RECIPIENT NAME AND ADDRESS	7. ISSUING FEMA OFFICE AND ADDRESS	8. PAYMENT OFFICE AND ADDRESS
LOS ANGELES, CITY OF 200 N MAIN ST RM 1800 LOS ANGELES, CA, 90012	Grant Operations 245 Murray Lane - Building 410, SW Washington DC, 20528-7000 POC: 866-927-5646	Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472

9. NAME OF RECIPIENT PROJECT OFFICER	PHONE NO.	10. NAME OF FEMA PROJECT COORDINATOR
William Jones	213-978-3461	Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov

11. EFFECTIVE DATE OF THIS ACTION	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT	14. PERFORMANCE PERIOD
09/01/2013		Cost Reimbursement	From: 09/01/2013 To: 08/31/2015 Budget Period 09/01/2013 08/31/2015

15. DESCRIPTION OF ACTION

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

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX- XXXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
Port Security Grant Program	97.056	2013-SL-B411-P400- -4101- D:W503830N \$ 605,463.00	\$0.00	\$605,463.00	\$605,463.00	\$201,822.00
TOTALS				\$0.00	\$605,463.00	\$605,463.00

\$201,822.00

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

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

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

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

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

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
William Jones, Sr. Management Analyst II

DATE
11/06/2013

18. FEMA SIGNATORY OFFICIAL (Name and Title)

DATE
09/10/2013

 NATALIE ROMANOFF, Assistance Officer