

Res 451

CONTRACT COVERSHEET

NOTE: Shaded areas are for County Executive review.

DEPARTMENT Emergency Management		CONTRACT/ADDENDUM #: 12222	
1. This contract, grant or addendum: <input type="checkbox"/> AWARDS <input checked="" type="checkbox"/> ACCEPTS		Contract	Addendum
2. This contract is discretionary <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		If Addendum, please include original contract number	
3. Term of Contract or Addendum: From: <u>10/13/14</u> To: <u>12/31/15</u>		<input type="checkbox"/>	POS <input type="checkbox"/>
4. Amount of Contract or Addendum \$10,009.21		<input type="checkbox"/>	Co Lesse <input type="checkbox"/>
5. Purpose: To support the delivery of emergency preparedness and response training for the City of Madison.		<input type="checkbox"/>	Co Lessor <input type="checkbox"/>
		<input type="checkbox"/>	Intergovernmental <input type="checkbox"/>
		<input type="checkbox"/>	Purchase of Property <input type="checkbox"/>
		<input type="checkbox"/>	Property Sale <input type="checkbox"/>
		<input type="checkbox"/>	Other: <input type="checkbox"/>
6. Vendor or Funding Source: Wisconsin Emergency Management			
7. MUNIS Vendor Code: 1692			
8. Bid/RFP Number:			
9. If grant: Funds Positions? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Will require on-going or matching funds? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
10. Are funds included in the budget? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
11. Account No. & Amount, Org. & Obj. _____		Amount \$ _____	
Account No. & Amount, Org. & Obj. _____		Amount \$ _____	
Account No. & Amount, Org. & Obj. _____		Amount \$ _____	
12. Is a resolution needed: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If "YES," please attach a copy of the Resolution. If Resolution has already been approved by the County Board, Resolution No. & date of adoption _____			
13. Does Domestic Partner equal benefits requirement apply? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
14. Director's Approval <i>Charles A. Tabb Sr.</i>			

CONTRACT REVIEW/APPROVALS

VENDOR

Initials	Ftnt	Date In	Date Out
<i>MG</i> Received	_____	<u>12-16-14</u>	_____
<i>CB</i> Controller	_____	_____	<u>12/22/14</u>
<i>[Signature]</i> Corporation Counsel	_____	<u>12/17/14</u>	<u>12/17/14</u>
<i>[Signature]</i> Risk Management	_____	<u>12/17/14</u>	<u>12/18/14</u>
<i>[Signature]</i> ADA Coordinator	_____	<u>12/17/14</u>	<u>12/18/14</u>
<i>AW</i> Purchasing Agent	_____	<u>12/19/14</u>	<u>12/19/14</u>
_____ County Executive	_____	_____	_____

Vendor Name & Address
Contact Person
Phone No.
E-mail Address

Footnotes:

- _____
- _____

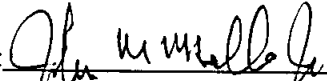
Return To: Name/Title: <u>J. McLellan / Population Protection Planner</u> Dept.: <u>Emergency Management</u>
Phone: <u>267-2542</u> Mail Address: <u>115 W. Doty St., RM 2107</u>
E-mail: <u>mclellan@countyofdane.com</u> <u>Madison, WI 53703</u>

CERTIFICATION

The attached contract: *(Check as many as apply)*

- conforms to Dane County's standard Purchase of Services Agreement form in all respects
- conforms to Dane County's standard Purchase of Services Agreement form with modifications and is accompanied by a revision copy¹
- is a non-standard contract which has been reviewed or developed by corporation counsel which has not been changed since that review/development
- is a non-standard contract previously reviewed or developed by corporation counsel which has been changed since that review/development; it is accompanied by a revision copy¹
- is a non-standard contract not previously reviewed by corporation counsel; it is accompanied by a revision copy
- contains non-standard/indemnification language which has been reviewed or developed by risk management and which has not been changed since that review/development
- contains non-standard insurance/indemnification language which has been changed since review/development or which has not been previously seen by risk management; it is accompanied by a revision copy
- contains non-standard affirmative action/equal opportunity language which has been reviewed or developed by contract compliance and which has not been changed since that review/development
- contains non-standard affirmative action/equal opportunity language which has been changed since the earlier review/development by contract compliance or which has not been previously seen by contract compliance; it is accompanied by a revision copy¹

Date: 12/9/14

Signed: 

Telephone Number: 267-2542

Print Name: John M. McLellan, Jr.

MAJOR CONTRACTS REVIEW (DCO Sect. 25.20) This review applies only to contracts which both exceed \$100,000 in disbursements or receipts and which require county board review and approval.

EXECUTIVE SUMMARY *(Attach additional pages, if needed).*

1. **Department Head** Contract is in the best interest of the County.
Describe any deviations from the standard contracting process and any changes to the standard Purchase of Services Form Agreement.

Date: _____ Signature: _____

2. **Director of Administration** Contract is in the best interest of the County.
Comments:

Date: _____ Signature: _____

3. **Corporation Counsel** Contract is in the best interest of the County.
Comments:

Date: _____ Signature: _____

¹A revision copy is a copy of the contract which shows the changes from the standard contract or previously revised/developed contract by means of overstrikes (indicating deletions from the standard language) and underlining (showing additions to the standard language).



State of Wisconsin
Scott Walker, Governor



12222

Department of Military Affairs
Donald P. Dunbar, Adjutant General

Office of the Adjutant General
2400 Wright Street · P.O. Box 14587 · Madison, WI 53708-0587

FY'14 HOMELAND SECURITY PROGRAM GRANT AWARD
Homeland Security/Madison Unified Command / EOC Improvement
2014-HSW-04-10446

The Department of Military Affairs (DMA), hereby awards to **Dane County**, (hereinafter referred to as the **Grantee**), the amount of **\$10,009.21** for programs or projects pursuant to the federal Homeland Security Grant Program.

This grant may be used until **December 31, 2015** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

The Grantee shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of the Department of Military Affairs. The submitted application is hereby incorporated as reference into this award.

This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Grantee signs and returns one copy of this grant award to the Department of Military Affairs.

DONALD P. DUNBAR
Major General
Wisconsin National Guard
The Adjutant General

BY:

BRIAN M. SATULA
Administrator
Wisconsin Emergency Management

10/13/2014
Date

The Grantee, **Dane County**, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

GRANTEE: **Dane County**

BY: _____
NAME: **Joseph Parisi**
TITLE: **County Executive**

Date

Completion of this signed grant award within 30 days of the date of the award is required for release of federal funds.

**DEPARTMENT OF MILITARY AFFAIRS
ATTACHMENT A**

APPROVED FY'14 HOMELAND SECURITY GRANT PROGRAM BUDGET

Grantee: Dane County

Project Title: Homeland Security/Madison Unified Command / EOC Improvement CFDA #97.067

Grant Period: From November 1, 2014 To December 31, 2015

Grant Number: 2014-HSW-04-10446

APPROVED BUDGET

		<u>Federal & Match</u>
Personnel	_____	
Employee Benefits	_____	
Travel (Including Training)	_____	
Equipment	_____	
Supplies & Operating Expenses	_____	
Consultants	_____	\$10,009.21
Other	_____	
FEDERAL TOTAL	\$10,009.21	
LOCAL CASH MATCH	_____	
TOTAL APPROVED BUDGET	\$10,009.21	\$10,009.21

AWARD GENERAL CONDITIONS

1. Federal funds cannot be used to supplant local funds. They must increase the amount of funds that would otherwise be available from local resources.
2. To be allowable under a grant program, costs must be obligated (purchase order issued) or paid, for services provided during the grant performance period. If obligated by the end of the grant period, payment must be made within 30 days of the grant period ending date.
3. Budget changes require prior approval from DMA.
4. Grant funds will be disbursed upon DMA receipt of copies of paid vendor invoices and requests for reimbursement (G-2) form. The G-2 form may be found at: <http://emergencymanagement.wi.gov/cgrants/forms.asp>.
5. Recipients and subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 28 CFR Parts 66 and 70.
6. Reimbursement for travel (i.e. mileage, meals, and lodging) is limited to applicable state rates and timeframes.
7. All income generated as a direct result of a grant-funded project shall be deemed program income. Program income must be used for the purpose and under the conditions applicable to the award. Program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. All program income must be reported to DMA.
8. The recipient agrees that all publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a grant from the United States Department of Homeland Security (DHS). Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of DHS."
9. The recipient agrees that when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."
10. Equipment shall be maintained and available for use as intended by the grant for the duration of its useful life. Disposal of equipment must follow all applicable state, federal, and local guidelines. The grantee must maintain records of any equipment disposal or transfer of ownership. Any proceeds from the sale of equipment at or near the end of its useful life will be considered program revenue and must be reinvested into eligible homeland security expenses.
11. To be eligible to receive Federal preparedness funding assistance, applicants must meet NIMS compliance requirements. Information on achieving compliance is available through the NIMS Integration Center (NIC) at <http://www.fema.gov/emergency/nims/> or through Wisconsin Emergency Management at <http://emergencymanagement.wi.gov/>
12. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Federal Fiscal Year (FY) 2014 Homeland Security Grant Program (HSGP) Funding Opportunity Announcement.

DEPARTMENT OF MILITARY AFFAIRS
ATTACHMENT B
Award Special Conditions

1. The exercise After-Action Report is due to WEM within 60 days of completion of the exercise and must include an improvement action plan matrix.
2. A copy of all contracts related to consultants or contractors that are used for any activities funded through this grant must be submitted with grant close-out documentation prior to reimbursement. All contractual agreements must also be uploaded in Egrants.
3. All exercises must follow the exercise methodology as directed by the Homeland Security Exercise and Evaluation Program (HSEEP).
4. Reimbursement of costs for overtime and backfill is contingent upon submission of the overtime/backfill form with supporting documentation and the G-2 form. The completed overtime and backfill form must include substantial justification for the overtime/backfill and travel needed as well as all supporting documentation for actual overtime/backfill incurred through attending training. Documentation must include copies of schedules, timesheets, overtime pay requests, and compensated rate of pay. The compensated rate of pay is base wage as defined by the contract, ordinance, or payroll. Requests that do not provide adequate justification or evidence of actual expenses will not be accepted. A G-2 form must also be submitted for reimbursement. Access the appropriate forms on WEM's grant forms page: <http://emergencymanagement.wi.gov/egrants/forms.asp>.
5. Within 60 days of award the sub grantee shall notify the WEM Homeland Security Grant Program grants management unit (via email) of all exercise dates. Within 30 days after the exercise date the sub grantee shall submit a modification request in Egrants identifying budget adjustments in accordance with actual incurred expenses related to overtime and backfill.

WISCONSIN DEPARTMENT OF MILITARY AFFAIRS

ATTACHMENT C

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. § § 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § § 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § § 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) § § 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § § 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. § § 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § § 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. § § 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § § 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § § 1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § § 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. § § 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § § 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

ACKNOWLEDGEMENT NOTICE

Date: **October 2014**

Grantee: **Dane County**

Grant No. **2014-HSW-04-10446**

Project Title: **Homeland Security/Madison Unified Command / EOC Improvement**

The following regulations and obligations (referenced below) apply to your grant award.

PROGRESS REPORTS must be submitted on a scheduled basis into the Egrants system. Narrative reports on the status of your project are due on:

<u>1/12/2015</u>	<u>4/12/2015</u>	<u>7/12/2015</u>	<u>10/12/2015</u>
<u>1/30/2016 - Final</u>			

FINANCIAL REPORTS (G-2) Reports may be submitted monthly but, at a minimum, are due on:

<u>1/12/2015</u>	<u>4/12/2015</u>	<u>7/12/2015</u>	<u>10/12/2015</u>
<u>1/30/2016 - Final</u>			

PROGRESS REPORTS & FINANCIAL REPORTS NOTE: Quarterly Reports due 04/12 include January, February and March program activity. Quarterly Reports due 07/12 include April, May and June program activity. Quarterly Reports due 10/12 include July, August and September program activity. Quarterly Reports due 01/12 include October, November and December program activity.

Reimbursements and grant modifications will be held if there are late program reports.

INVENTORY REPORT should reflect final inventory in your records. All equipment purchases must be received, paid for, installed, and deployed before submitting report. Report is due in Egrants on or before:

Complete and return a *W-9 Taxpayer Identification Number Verification Form* (enclosed).

OTHER:

ACKNOWLEDGEMENT

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

12/10/14
Date

J. McLellan, Project Director

Agreement Articles for Federal Fiscal Year 2014 Homeland Security Awards

Article I – Summary Description of Award

The FY 2014 HSGP plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. HSGP funds shall be used for statutorily eligible costs related to the planning, organization, equipment, training, and exercise needs that prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events. This grant consists of State Homeland Security Program funding from Federal award # EMW-2014-SS-00071.

Article II – Assurances, Administrative Requirements and Cost Principles

1. Assurances

Recipients of Federal financial assistance from the Department of Homeland Security (DHS) must complete OMB Standard Form 424B (Assurances – Non-Construction Programs), included herein as Attachment C.

2. Administrative Requirements

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

- 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.

3. Cost Principles

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 debarment 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 2 CFR 3001.

Article IX – Duplication of Benefits

State, Local, and Tribal recipients must comply with 2 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 sets 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-424B, 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 (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 interpretive 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 1990, 15 U.S.C §2225.

Article XIV– Lobbying Provisions

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 an 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 and award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

Article XVI – Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), 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, 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: 1) Engages in severe forms of trafficking in persons during the period of time that the award is in effect; 2) Procures a commercial sex act during the period of time that the award is in effect; or 3) 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 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.

- a. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
- b. 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.
- c. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- d. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
- e. 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.
- f. In the event that 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 – Incorporation by Reference of Funding Opportunity Announcement (FOA)

The FOA for this program is hereby incorporated into this award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the FOA.

Article XXI – Acceptance of Post-Award Changes

In the event that FEMA determines that changes are necessary to the State's award after an award has been made, including changes to the period of performance or terms and conditions, grant 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.

Article XXII – Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1965 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article XXIII – Americans with Disabilities Act of 1990

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

Article XXIV – Title VI of the Civil Rights Act of 1964

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

Article XXV – Civil Rights Act of 1968

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

Article XXVI – Limited English Proficiency (Civil Rights Act of 1964, Title VI)

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

Article XXVII – SAFECOM

Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. For additional information, refer to <http://www.safecomprogram.gov>.

Article XXVIII – Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)

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

Article XXIX – Rehabilitation Act of 1973

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

Article XXX – DMA Conditions

1. The grantee and any sub-grantee must comply with the Grant Announcement used to announce the funding opportunity.
2. The grantee and any sub-grantee must comply with the Grant Award Documents.
3. The grantee and sub-grantees must cooperate with the Homeland Security Compliance Monitors.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications and conditions.

Grantee Name and Address: Dane County, 210 Martin Luther King Jr. Blvd., Madison, WI 53703-3340

App # 10446 / Madison Unified Command / EOC Improvement
Application Number and Project Name

Joseph Parisi, County Executive
Typed Name of Authorized Representative

Signature

Date

**NOTE: The original signature of the chief executive is required.
Substitute signing or stamping is not accepted.**